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OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

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SPECIAL

August 11, 1989

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LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer -

Department of Transportation (Herlihy 366-4687)	226
Department of the Interior (Hill 343-4547)	329
Council on Environmental Quality (D. Bear x5754)	256
Department of Energy (Rabben 586-6718)	209
National Science Foundation (Herz 357-7745)	248
National Security Council (Hughes x3723)	249
Department of Justice (Perkins 633-2113)	217
Department of Defense (Brick 697-1305)	325
Department of State (Bachrach 647-4463)	225
U.S. Information Agency (Isacco 485-8828)	255
National Aeronautics and Space Administration (McBride 453-1948)	219
Agency for International Development (Lester 647-8371)	202
Office of Personnel Management (Woodruff 632-5524)	331
Department of the Treasury (Carro 566-8523)	228
Environmental Protection Agency (Schilling 382-5414)	326
United States Trade Representative (Bolten x3150)	223
Office of Science and Technology Policy	
Panama Canal Commission	
Overseas Private Investment Corp. (Hatton 457-7012)	221
Department of Labor (Zinman 523-8201)	330
General Services Administration (Vicchiolla 523-3956)	237
Department of Education (Kristy 732-2670)	207
Equal Employment Opportunity Commission	
Board for International Broadcasting (Schlueter 254-8040)	262
National Drug Control Policy	
Inter-American Foundation	
Department of Commerce (Levitt 377-3151)	324
Federal Communications Commission	
(Central Intelligence Agency,)	258
United States Postal Service	
Department of Agriculture (Shapiro 382-1516)	312
Arms Control and Disarmament Agency (Starr 647-8478)	234
Export-Import Bank (Record 566-8967)	236

STAT

SUBJECT: H.R. 1487, "Foreign Relations Authorization Act, FYs 1990 and 1991" as passed both by the House and the Senate. The attached State-prepared side-by-side contains all of the provisions in both the House- and Senate-passed versions. Please review the side-by-side in order to identify problematic provisions in anticipation of conference action in September. Major substantive concerns should be articulated in the form of a proposed letter from your agency to the conference committee.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than WEDNESDAY, AUGUST 23, 1989. If your agency does not respond within the stipulated deadline, we will assume that it has no comment on any of the provisions contained in the subject side-by-side.

Questions should be referred to Sue Thau/Annette Rooney (395-7300), the legislative analysts in this office.



RONALD K. PETERSON FOR
Assistant Director for
Legislative Reference

Enclosure

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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND SENATE AMENDMENT S. 1160 THERETO
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (FY 1991)

CONFERENCE ISSUES

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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND SENATE AMENDMENT S. 1160 THERETO
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (FY 1991)

CONFERENCE ISSUES

ITEM	S&S PAGE	HOUSE SEC.	SENATE SEC.	ISSUE
TITLE I - DEPARTMENT OF STATE				
1.	6	101	101	ADMINISTRATION OF FOREIGN AFFAIRS
2.	9	101(C)	—	ALLOCATION FOR OFFICE OF MUNITIONS CONTROL
3.	10	102	102	CONTRIBUTIONS - INTERNATIONAL ORGANIZATIONS/CONFERENCES
4.	13	103	103	INTERNATIONAL COMMISSIONS
5.	14	104(A)	105(B)	OTHER PROGRAMS
6.	14	104(A3)	104	MIGRATION AND REFUGEE ASSISTANCE
	15	104(C)	—	SPECIAL AUTHORIZATION - MIGRATION AND REFUGEE ASSISTANCE
7.	16	—	106(A)	BUYING POWER MAINTENANCE ACCOUNT
8.	18	105	—	REDUCTION IN EARMARKS IF APPROPRIATIONS LESS THAN AUTH.
9.	19	106	106(A3)	TWELVE-MONTH CONTRACTS IN TWO FISCAL YEARS
10.	20	—	111	PROHIBITION ON SOLICITING/DIVERTING FUNDS (MOYNIHAN)
11.	23	122	—	FOREIGN SERVICE INSTITUTE FACILITIES
12.	24	123	113	WORKING CAPITAL FUND - OFFICE OF FOREIGN MISSIONS
13.	25	—	114	AUTHORITY OF DIPLOMATIC SECURITY SERVICE
14.	26	—	116	ACQUISITION OF DOMESTIC PROPERTY FOR FOREIGN SWAP
15.	30	—	120	ACCESS TO CRIMINAL RECORDS
16.	31	124	1003	MUNITIONS CONTROL REGISTRATION FEES
17.	32	125	—	DIPLOMATIC AND CONSULAR POSTS ABROAD (POST CLOSINGS)
18.	34	—	119	CONSULAR OFFICER DUTIES
19.	35	—	121	STATE DEPARTMENT POST OFFICES ABROAD
20.	37	—	122	OPENING AN AMERICAN CONSULATE IN BRATISLAVA (SC)
21.	39	126	—	CLOSING OF POSTS IN ANTIGUA AND BARBUDA
22.	40	127	—	REPORT - CONCERNING OCEANIA
23.	41	128	—	CONSULAR OFFICERS IN SOVIET UNION (SC)
24.	42	129	—	PROCEDURES - DISASTERS ABROAD AFFECTING U.S. CITIZENS
25.	44	—	126	ENHANCEMENT OF EVACUATION CAPABILITY
26.	46	130	—	REPORT/REVIEW - INTERNATIONAL/BILATERAL COMMISSIONS
27.	47	131	124	ASST. SECY. FOR SOUTH ASIA/REPORT ON STATE ORGANIZATION
28.	49	132	—	ANNUAL COUNTRY REPORTS ON TERRORISM - SUBMISSION DATE
29.	50	133	115	FEES AND REIMBURSEMENTS - BLAIR HOUSE
30.	51	134	117	INTERNATIONAL CENTER

-2-

ITEM	SXS PAGE	HOUSE SEC.	SENATE SEC.	ISSUE
31.	52	—	125	LATIN AMERICAN AND CARIBBEAN DATA BASE
32.	53	135	133	CHILD CARE FACILITIES AT CERTAIN POSTS ABROAD
33.	54	136	—	ECONOMICALLY/SOCIALLY DISADVANTAGED ENTERPRISES - PILOT
34.	59	137	—	MIDDLE EAST REPORTS (SEE ALSO ITEM 134)
35.	61	138	—	DEBT COLLECTION (SEE ALSO ITEM 81.)
36.	62	140	1007	REPORT CONCERNING MEXICO
37.	63	141	132	U.S./SOVIET RECIPROCITY - MATTERS RELATING TO EMBASSIES
38.	64	—	1331	U.S./SOVIET EMBASSY AGREEMENT [DROPPED SFRC PROVISION]
39.	66	142	123	CONSTRUCTION OF U.S. EMBASSY IN OTTAWA
40.	67	143	—	CONSTRUCTION SECURITY CERTIFICATION
41.	68	144	206	DIPLOMATIC CONSTRUCTION PROGRAM - U.S. CONTRACTOR PREF.
42.	69	—	131 (AB)	EXCLUSION OF ALIENS INVOLVED IN CRIMINAL OFFENSES
43.	70	145	131 (C)	REPORT CONCERNING COMPENSATION AND DIPLOMATIC IMMUNITY
44.	72	146	—	U.S. CONTRACTORS IN LOCAL GUARD PROGRAMS
45.	77	—	134	POLYGRAPH PROTECTION ACT - STATE CONTRACTOR EXEMPTION
46.	78	—	135	CLEARED PERSONNEL FOR MAINTENANCE/REPAIR ABROAD
47.	80	—	144	VISITING SCHOLARS PROGRAM FOR FOREIGN SERVICE INSTITUTE
48.	81	151	146	FORMER SPOUSES - USIA AND AID
49.	84	152	—	FOREIGN SERVICE INTERNSHIP PROGRAM
50.	94	153	149	GRANTS FOR TRAINING IN INTERNATIONAL AFFAIRS
51.	98	—	152	INTEGRITY OF LEGISLATIVE PROCESS (OMBUDSMAN)
52.	99	—	161	EXPANSION OF MODEL FOREIGN LANGUAGE COMPETENCE POSTS
53.	101	—	162	REPORT - FOREIGN LANGUAGE ENTRANCE REQ.-FOR SERV.
54.	102	—	163	FOREIGN SERVICE PROMOTION PANELS (LANGUAGE REQUIREMENT)
55.	103	—	164	LANGUAGE PROFICIENCY IN EER
56.	104	154	—	DANGER PAY ALLOWANCE (DEA)
57.	105	155	—	REPORT - POLYGRAPH PROGRAM
58.	107	156	—	REPORT/STUDY - SEXUAL HARASSMENT AT DEPT. OF STATE
59.	109	157	141	TRANSFER OF FSN RETIREMENT CONTRIBUTIONS TO LOCAL PLANS
60.	112	158	143	JUDICIAL REVIEW - SEPARATION FOR CAUSE
61.	113	—	150	JUDICIAL REVIEW OF CERTAIN GRIEVANCES (EX POST FACTO)
62.	114	159	147	TRAVEL, LEAVE, AND OTHER BENEFITS
63.	115	—	148	SPECIAL ALLOWANCES UNDER TITLE V, U.S.C.
64.	119	160	145	CREDIT FOR SERVICE AT UNHEALTHFUL POSTS
65.	120	161	—	LIMITATION ON HOUSING BENEFITS
66.	121	162	151	REPORT/STUDIES ON CULTURAL AND ETHNIC REPRESENTATION
				IN FOREIGN SERVICE; MERIT BASED FOREIGN SERVICE
67.	124	—	171	ARCTIC OCEAN OILSPILLS

-3-

ITEM	SXS PAGE	HOUSE SEC.	SENATE SEC.	ITEM
TITLE II/III - U.S.I.A./VOICE OF AMERICA/TV MARTI				
68.	129	201	201,204	AUTHORIZATION OF APPROPRIATIONS(INC. NED)
69.	133	202	—	USIA POSTS AND PERSONNEL OVERSEAS (CLOSING/DOWNGRADE)
70.	135	203	212	FEES FOR USIA PUBLICATIONS/PROGRAMS
71.	136	204	—	USE OF USIA NETWORK FOR COMBATTING NARCOTICS
72.	137	205	207	DISSEMINATION OF INFORMATION WITHIN THE UNITED STATES
73.	139	—	220	U.S. DISTRIBUTION OF FILM - "LONG JOURNEY HOME"
74.	140	206/7	208	USIA SATELLITE AND TELEVISION/WORLD NET LIMITS
75.	144	208	210	U.S. ADVISORY COMMISSION ON PUBLIC DIPLOMACY
76.	147	209	—	HUMPHREY FELLOWSHIP PROGRAM (SC)
77.	148	—	213	J. WILLIAM FULBRIGHT SCHOLARSHIP BOARD
78.	150	210	—	REPORT - WORLD NET EXPENDITURES
79.	151	211	—	GAO STUDY - NED EXPENDITURES
80.	152	212	211	EMPLOYMENT OF ALIENS (FOREIGN LANGUAGE SERVICES)
81.	153	213	—	DEBT COLLECTION (SEE ALSO ITEM 35.)
82.	154	—	214	CITIZEN EXCHANGES
83.	155	—	215	UNITED STATES - SOVIET EXCHANGES
84.	156	1101	216	TIBETAN (BURMESE) SCHOLARSHIPS
85.	157	—	217	AFGHANISTAN COUNTRY PLAN
86.	158	221FF	701FF	TELEVISION BROADCASTING TO CUBA (MULTIPLE PARTS)
87.	178	301	202	VOA - AUTHORIZATION OF APPROPRIATIONS
88.	179	302	—	VOA EQUIPMENT ABROAD
89.	180	—	209	VOA HIRING PRACTICES
90.	181	—	217	VOA PUBLIC SERVICE ANNOUNCEMENTS - CHILD SURVIVAL
91.	182	—	218	VOA BROADCASTS TO TIBET
	183	—	220	DUPLICATE - SEE ITEM 73. ABOVE
92.	184	—	221	VOA THAILAND RADIO FACILITIES
93.	185	—	222	VOA BROADCASTS TO PRC
TITLE III/IV - BOARD FOR INTERNATIONAL BROADCASTING				
94.	186	401	301	AUTHORIZATION OF APPROPRIATIONS
95.	188	402	302	PROCUREMENT OF LEGAL SERVICES
96.	189	403	—	REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS
97.	190	—	303	RADIO FREE AFGHANISTAN

-4-

ITEM	SXS	HOUSE	SENATE	ISSUE
	PAGE	SEC.	SEC.	
TITLE V - ASIA FOUNDATION				
98.	191	501	105	AUTHORIZATION OF APPROPRIATIONS
TITLE VI/V - INTERNATIONAL ORGANIZATIONS				
99.	192	601	402	REFORM IN BUDGET DECISION-MAKING PROCESSES - U.N. SYSTEM
100.	196	602	401,641, 642	MEMBERSHIP IN INT. SUGAR ORG., INT TROPICAL TIMBER ORG, INT UNION FOR CONSERVATION OF NATURE
101.	197	603	—	CONTRIBUTION TO REGULAR BUDGET - ICRC
102.	198	604	118	INTERNATIONAL BOUNDARY AND WATER COMMISSION
103.	200	605	—	UNRWA - PALESTINE REFUGEES) (SC)
104.	201	606	404	REPORT/POLICY - UNESCO (SC ON POLICY)
105.	203	607	—	U.S. COMMISSION ON IMPROVING EFFECTIVENESS OF THE U.N.
106.	204	608	—	ENHANCED ROLE FOR ICJ IN INTERNATIONAL DISPUTES (SC)
107.	207	609	1060	CONTRIBUTIONS FOR PEACEKEEPING - SOUTHERN AFRICA
108.	211	610	403	ANNUAL REPORT - VOTING PRACTICES AT THE UNITED NATIONS
109.	215	—	405	PLO MEMBERSHIP - UNITED NATIONS AGENCIES
TITLE V (SENATE) - REFUGEE AND OTHER PROVISIONS				
110.	216	—	501	UN HIGH COMMISSION FOR REFUGEES AUDIT REQUIREMENT
111.	217	—	502	WORLDWIDE REFUGEE PROTECTION
112.	225	—	503	PROHIBITION ON EXCLUSION/DEPORTATION OF NONRESIDENT ALIENS
113.	226	—	504	REPORT - BURMESE STUDENTS
TITLE VII (HOUSE) - INTER-AMERICAN FOUNDATION				
114.	228	701	1001	INTER-AMERICAN FOUNDATION - AUTHORIZATION
TITLE VIII (HOUSE) - MISCELLANEOUS PROVISIONS				
115.	229	801	—	COMPLIANCE WITH CONGRESSIONAL BUDGET ACT
TITLE IX (HOUSE) - BUY-AMERICAN REQUIREMENT				
116.	230	901	—	BUY-AMERICAN REQUIREMENT

-5-

ITEM	SXS PAGE	HOUSE SEC.	SENATE SEC.	ISSUE
TITLE XII (HOUSE) - AGGREGATE LIMIT OF AUTHORIZATIONS OF APPROPRIATIONS				
117.	232	1201	—	AGGREGATE LIMIT OF AUTHORIZATIONS OF APPROPRIATIONS
TITLE VI (SENATE) - GLOBAL ENVIRONMENT PROTECTION ACT				
118.	234	139	—	REPORT - GLOBAL WARMING PREVENTION INFORMATION NETWORK (SEE ITEM 127 FOR SIMILAR SENATE PROVISION)
119.	237	—	611	COMMERCIAL DEBT-FOR-NATURE EXCHANGES (FOR ASST ACT AMEND)
120.	244	—	621	MULTILATERAL FOREIGN ASSISTANCE COORDINATION: GEN. POLICY
121.	244	—	622	MULTILATERAL FOREIGN ASSISTANCE COORD: NEGOTIATIONS POLICY
122.	246	—	631	INT. DEBT EXCHANGES AND THE ENVIRONMENT: (SC)
123.	247	—	632	REPORT - INT. DEBT EXCHANGES AND THE ENVIRONMENT
124.	248	—	633	MULTILATERAL DEVLPMNT BANKS AND DEBT-FOR-NATURE EXCHANGES
125.	255	—	641,642	SEE ITEM 100.
126.	255	—	643	AUTH. OF APPROP. - MEMBERSHIP IN WILDLIFE CONVENTIONS
127.	256	—	651	REPORT - GLOBAL WARMING PREVENTION INFO NETWORK (SEE ITEM 118 FOR SIMILAR HOUSE PROVISION)
128.	258	—	661	INT. ENVIRONMENTAL EDUCATION - POLICY RE ENVIRON. LIBRARIES
129.	259	—	671	REPORT -ENERGY EFFICIENCY (?) TECHNOLOGY TRANSFER
130.	260	—	672	INTERNATIONAL ENERGY CONFERENCE
131.	261	—	673	POLICY ON GLOBAL CLIMATE CHANGE
TITLE VIII (SENATE) - PLO COMMITMENTS COMPLIANCE ACT OF 1989				
132.	262	—	802	FINDINGS
133.	263	—	803	POLICY
134.	267	—	804	REPORTING REQUIREMENT (SEE ALSO ITEM 34)
TITLE IX (SENATE) - PEOPLE'S REPUBLIC OF CHINA				
135.	271	—	901	POLICY TOWARD ADDITIONAL SANCTIONS AGAINST THE PRC

-6-

ITEM	SXS PAGE	HOUSE SEC.	SENATE SEC.	ISSUE
TITLE X (SENATE) - MISCELLANEOUS PROVISIONS				
136.	281	—	1001	SEE ITEM 114.
137.	281	—	1002	CONSIDERATION BY SENATE OF EXPEDITED LEGISLATION (COUNTRY DRUG EFFORT CERTIFICATION)
138.	281	—	1003	SEE ITEM 16.
139.	282	—	1004	PROCEDURES FOR ISSUANCE OF COMMERCIAL ARMS EXPORT LICENSES
140.	283	—	1005	PROHIBITION ON USE OF MILITARY ITEMS IN TIBET
141.	284	—	1006	USE OF HERBICIDES FOR DRUG ERADICATION
142.	285	—	1007	SEE ITEM 36.
143.	286	—	1008	REPORT - PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD
144.	288	—	1009	ESTABLISHMENT OF PACIFIC BASIC FORUM (SC)
145.	290	—	1010	CHINA - DEMOCRACY, HUMAN RIGHTS, JUSTICE (SC)
146.	292	—	1011	BENJAMIN FRANKLIN HOUSE MUSEUM AND LIBRARY (SC)
147.	293	—	1012	REPORT - INTERNATIONAL AGRICULTURAL CONSERVATION RESERVE
148.	295	—	1013	HIGH SEAS DRIFTNET FISHING (SC)
149.	298	—	1014	CHEMICAL AND BIOLOGICAL WEAPONS SUPPLIERS GROUP (SC)
150.	299	—	1015	REPORT - MONITORING SYSTEM FOR THE INF TREATY (CARGOSCAN)
151.	300	—	1016	REPORT - FEASIBILITY OF NATO-WARSAW PACT MILITARY COMMO LINK
152.	302	—	1017	ASSISTANCE FOR TURKEY FOR TURKISH REFUGEES FROM BULGARIA
153.	306	—	1018	HUMAN RIGHTS IN YUGOSLAVIA (SC)
154.	308	—	1019	POLICY TOWARD THE FUTURE OF TAIWAN
154.	309	—	1020	INCREASING REWARDS FOR COMBATING TERRORISM
155.	310	—	1021	REPEAL SEC. 404, TITLE IV OF PL 101-45 (PUBLIC HOUSING AND EVICTION OF DRUG DEALERS)
156.	311	—	1022	IMPORT OF EASTBLOC DEFENSE ARTICLES FOR MUSEUMS
157.	312	—	1023	SUPPORT FOR THE PEOPLE OF SOVIET ARMENIA (SC)
158.	315	—	1024	SUPPORT FOR FREE AND FAIR ELECTIONS IN BURMA (SC)
159.	320	—	1025	REPORT - CLEAN OIL TECHNOLOGY EXPORT PROGRAMS
160.	321	—	1026	ASSOCIATION OF DEMOCRATIC NATIONS (SC)
161.	323	—	1027	ASSIGNMENT OF COMMERCIAL OFFICERS TO USEC
162.	324	—	1028	POLICY TOWARD CUBA (SC)
163.	326	—	1029	POLICY TOWARD THE CONTROL OF ILLEGAL DRUGS IN MEXICO (SC)
164.	330	—	1030	POLICY TOWARD COPRODUCTION - KOREAN FIGHTERS (SC IN PART)
165.	334	—	1031	REPORT - FUTURE OF HONG KONG IN LIGHT OF RECENT DEVELOPMENTS
166.	335	—	1032	REPORT - POLICY TOWARD HUMAN RIGHTS ABUSES IN ROMANIA
167.	340	—	1033	YANG WEI (SC)
168.	342	—	1034	AMEND MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT
169.	343	—	1035	USIA REPORT ON ACQUISITION OF PUBLIC PROGRAMMING MATERIALS
170.	344	—	1036	RESOLUTION OF DECERTIFICATION
171.	345	—	1037	STUDENT VISAS FOR CHINESE STUDENTS IN JAPAN
172.	346	—	1038	APPOINTMENT OF NEW ADMINISTRATOR OF PANAMA CANAL COMMISSION

-7-

ITEM	SXS PAGE	HOUSE SEC.	SENATE SEC.	ISSUE
173.	347	—	1039	SITUATION IN LEBANON (SC)
174.	350	—	1040	POLICY TOWARDS THE FUTURE OF TIBET (SC)
175.	351	—	1041	TIANANMEN SQUARE PARK AUTHORIZATION (SC IN PART)
176.	354	—	1042	CHINESE FLEEING COERCIVE POPULATION CONTROL POLICIES
177.	357	—	1043	PLO - PROHIBITION AGAINST NEGOTIATION WITH CERTAIN REPS.
178.	358	—	1044	CONSERVATION OF SEA TURTLES
179.	360	—	1045	POLICY - SOVIET BLOC MILITARY ASSISTANCE/CENTRAL AMERICA (SC)
180.	363	—	1046	SOVIET/VIETNAMESE NATIONALS REFUGEE STATUS
181.	365	—	1047	SOVIET/VIETNAMESE NATIONALS ADJUSTMENT TO PERM. RES. STATUS
182.	366	—	1048	CUBAN ALIEN SMUGGLING OPERATION
183.	367	—	1049	CUBAN DRUG TRAFFICKING
184.	368	—	1050	POLICY REGARDING HUMAN RIGHTS ABUSES IN CUBA (SC)
185.	370	—	1051	COMMEMORATION OF VICTIMS OF TERRORISM (SC)
186.	372	—	1052	ESTABLISH INTERNATIONAL STRIKE FORCE (DRUGS/TERRORISTS) (SC)
187.	373	—	1053	CREATE MULTILATERAL ANTI-NARCOTICS STRIKE FORCE
188.	374	—	1054	SCHOOLS ON WEST BANK (SC)
189.	375	—	1055	ROLE OF CONGRESS IN FORMULATION OF U.S. FOREIGN POLICY
190.	377	—	1056	ASSISTANCE FOR THE CAMBODIAN PEOPLE
191.	379	—	1057	TREAT HONG KONG AS SEP. FOREIGN STATE FOR NUMERICAL LIMITS
192.	380	—	1058	MULTILATERAL SANCTIONS AGAINST SOUTH AFRICA (SC)
193.	385	—	1059	SITUATION IN REPUBLIC OF SOUTH AFRICA (SC)
		—	1060	SEE ITEM 107.
194.	387	—	1061	RECOGNITION OF PANAMANIAN PRESIDENT (SC)
195.	389	—	1062	TREATIES WITH SOVIET UNION ON BOUNDARIES OF UNITED STATES
196.	390	—	1063	U.N. SPONSORSHIP OF MIDDLE EAST PEACE CONFERENCE (SC)
197.	391	—	1064	FACILITATING DETECTION OF PLASTIC EXPLOSIVES
198.	392	—	1065	PROMOTING FREEDOM IN SOVIET GEORGIA
199.	395	—	1066	AUTH. OF APPROP. - COMMISSION ON THE UKRAINE FAMINE
200.	396	—	1067	PROHIBITION ON COMMERCIAL TRANSACTIONS WITH CUBA
201.	397	—	1068	USTR REPRESENTATIVE IN EMBASSY TOKYO (SC)

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

101ST CONGRESS
1ST SESSION

H.R. 1487

IN THE SENATE OF THE UNITED STATES

APRIL 18 legislative day, JANUARY 31, 1989

Received, read twice, and referred to the Committee on Foreign Relations

AN ACT

To authorize appropriations for fiscal years 1990 and 1991 for the Department of State, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Foreign Relations
5 Authorization Act, Fiscal Years 1990 and 1991".

SEC. 2. TABLE OF CONTENTS.

7 The table of contents for this Act is as follows:

In the Senate of the United States,

July 21 (legislative day, January 3), 1989.

Resolved, That the bill from the House of Representa-
tives (H.R. 1487) entitled "An Act to authorize appropriations
for fiscal years 1990 and 1991 for the Department of State, and
for other purposes", do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

2 (a) *SHORT TITLE.*—This Act may be cited as the
3 "Foreign Relations Authorization Act, Fiscal Year 1990".

4 (b) *TABLE OF CONTENTS.*—The table of contents for
5 this Act is as follows:

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

2.

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

2

Table of Contents

- Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—DEPARTMENT OF STATE

PART A—AUTHORIZATION OF APPROPRIATIONS; ALLOCATIONS OF FUNDS;
RESTRICTIONS

- Sec. 101. Administration of foreign affairs.
Sec. 102. International organizations and conferences.
Sec. 103. International commissions.
Sec. 104. Other programs.
Sec. 105. Reduction in earmarks if appropriations are less than authorizations.
Sec. 106. Availability of funds.

PART B—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES; FOREIGN
MISSIONS

- Sec. 121. Authorization of certain operational activities.
Sec. 122. Foreign Service Institute facilities.
Sec. 123. Working capital fund for Office of Foreign Missions.
Sec. 124. Munitions control registration fees.
Sec. 125. Diplomatic and consular posts abroad.
Sec. 126. Closing of diplomatic and consular posts in Antigua and Barbuda.
Sec. 127. Report to Congress concerning Oceania.
Sec. 128. Sense of Congress concerning consular officers assigned to the United States diplomatic mission to the Soviet Union.
Sec. 129. Procedures regarding major disasters and incidents abroad affecting United States citizens.
Sec. 130. Review of international and bilateral commissions.
Sec. 131. Assistant Secretary of State for South Asian Affairs.
Sec. 132. Submission of annual country reports on terrorism.
Sec. 133. Fees and reimbursements.
Sec. 134. International Center.
Sec. 135. Pilot program for child care facilities at certain posts abroad.
Sec. 136. Voluntary pilot program for increased participation by economically and socially disadvantaged enterprises in foreign relations activities.
Sec. 137. Middle East reports.
Sec. 138. Debt collection.
Sec. 139. Report concerning global warming prevention information network.
Sec. 140. Report concerning Mexico.

PART C—DIPLOMATIC RECIPROCITY AND SECURITY

- Sec. 141. United States-Soviet reciprocity in matters relating to embassies.
Sec. 142. Construction of United States embassy in Ottawa.
Sec. 143. Construction security certification.
Sec. 144. Modification of preference for United States contractors in diplomatic construction program.
Sec. 145. Report concerning compensation and diplomatic immunity.
Sec. 146. Increased participation of United States contractors in local guard contracts abroad under the diplomatic security program.

TITLE I—THE DEPARTMENT OF STATE

PART A—AUTHORIZATION OF APPROPRIATIONS; ALLOCATION OF FUNDS

- Sec. 101. Administration of foreign affairs.
Sec. 102. Contributions to international organizations and conferences.
Sec. 103. International commissions.
Sec. 104. Migration and refugee assistance.
Sec. 105. The Asia Foundation and other programs.
Sec. 106. Availability of funds.

PART B—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES; FOREIGN
MISSIONS

- Sec. 111. Prohibition on soliciting or diverting funds to carry out activities for which United States assistance is prohibited.
Sec. 112. Authorization of certain operational activities.
Sec. 113. Working capital fund for Office of Foreign Missions.
Sec. 114. Authority of Diplomatic Security Service.
Sec. 115. Fees and reimbursements.
Sec. 116. Acquisition of domestic property as interim step to acquiring property abroad.
Sec. 117. International center.
Sec. 118. International Boundary and Water Commission.
Sec. 119. Consular officer duties.
Sec. 120. Access to criminal records.
Sec. 121. State Department post offices abroad.
Sec. 122. Opening an American consulate in Bratislava.
Sec. 123. Construction of United States Embassy in Ottawa.
Sec. 124. Report on reorganization of the Department of State.
Sec. 125. Establishment of a Latin American and Caribbean data base.
Sec. 126. Enhancement of evacuation capability.

PART C—DIPLOMATIC IMMUNITY, RECIPROCITY, AND SECURITY

- Sec. 131. Exclusion of aliens previously involved in a serious criminal offense committed in the United States.
Sec. 132. United States-Soviet reciprocity in matters relating to embassies.
Sec. 133. Child care facilities at certain posts abroad.
Sec. 134. State Department contractor exemption to Polygraph Protection Act.
Sec. 135. Use of cleared personnel to ensure secure maintenance and repair of diplomatic facilities abroad.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3

PART D—PERSONNEL MATTERS

- Sec. 151. Former spouses of USIA and AID employees.
 Sec. 152. Foreign Service internship program.
 Sec. 153. Grants for institutions and students for training in international affairs.
 Sec. 154. Danger pay allowance.
 Sec. 155. Report to Congress concerning polygraph program.
 Sec. 156. Study of sexual harassment at the Department of State.
 Sec. 157. Authority to transfer retirement contributions for Foreign Service nationals to local plans.
 Sec. 158. Judicial review—separation for cause.
 Sec. 159. Travel, leave, and other benefits.
 Sec. 160. Credit for service at unattractive posts.
 Sec. 161. Limitation on housing benefits.
 Sec. 162. Reports and studies concerning broadening the cultural and ethnic representation of the Foreign Service and the Department of State.

TITLE II—UNITED STATES INFORMATION AGENCY

PART A—AUTHORIZATIONS OF APPROPRIATIONS AND AUTHORIZED ACTIVITIES

- Sec. 201. Authorization of appropriations.
 Sec. 202. USIA posts and personnel overseas.
 Sec. 203. Changes in administrative authorities.
 Sec. 204. USIA network for dissemination of information concerning United States programs to combat narcotics and other controlled substances.
 Sec. 205. Dissemination in the United States of material prepared for dissemination abroad.
 Sec. 206. Repeal of limitation on passive programs for Worldnet.
 Sec. 207. Limitation on Worldnet funding.
 Sec. 208. United States Advisory Commission on Public Diplomacy.
 Sec. 209. Sense of Congress concerning the Humphrey Fellowship Program.
 Sec. 210. Report to Congress concerning expenditures for Worldnet.
 Sec. 211. General Accounting Office study of the National Endowment for Democracy.
 Sec. 212. Authorities regarding employment of aliens.
 Sec. 213. Debt collection.

PART B—TELEVISION BROADCASTING TO CUBA

- Sec. 221. Short title.
 Sec. 222. Findings and purposes.
 Sec. 223. Television broadcasting to Cuba.
 Sec. 224. Television Martí Service of the United States Information Agency.
 Sec. 225. Amendments to the Radio Broadcasting to Cuba Act.
 Sec. 226. Assistance from other government agencies.
 Sec. 227. Facility compensation.
 Sec. 228. Authorization of appropriations.
 Sec. 229. Definitions.

TITLE III—VOICE OF AMERICA

- Sec. 301. Authorization of appropriations.
 Sec. 302. Voice of America equipment abroad.

TITLE IV—BOARD FOR INTERNATIONAL BROADCASTING

PART D—PERSONNEL

- Sec. 141. Authority to transfer retirement contributions for Foreign Service nationals to local plans.
 Sec. 142. Disqualification for service on Foreign Service selection boards.
 Sec. 143. Separation for cause; judicial review.
 Sec. 144. Visiting scholars program for the Foreign Service Institute.
 Sec. 145. Credit for service at unattractive posts.
 Sec. 146. Former spouses of United States Information Agency and Agency for International Development employees.
 Sec. 147. Travel, leave, and other benefits.
 Sec. 148. Special allowances under title 5, United States Code.
 Sec. 149. Grants for institutions and students for training in international affairs.
 Sec. 150. Judicial review of certain Foreign Service grievances.
 Sec. 151. Merit-based Foreign Service.
 Sec. 152. Protection of the integrity of the legislative process.

PART E—FOREIGN LANGUAGE COMPETENCE WITHIN THE FOREIGN SERVICE

- Sec. 161. Expansion of model foreign language competence posts.
 Sec. 162. Report on foreign language entrance requirement for the Foreign Service.
 Sec. 163. Foreign Service promotion panels.
 Sec. 164. Language Proficiency in the Employee Evaluation Report.

PART F—ARCTIC OCEAN OILSPILLS

- Sec. 171. Agreement between the United States and Canada governing liability for potential oil spills in the Arctic Ocean and international contingency plans.
 Sec. 172. Report on agreements between the United States and Canada governing liability for potential oil spills in the Great Lakes and the St. Lawrence Seaway and international contingency plans.

TITLE II—UNITED STATES INFORMATION AGENCY

- Sec. 201. Authorization of appropriations.
 Sec. 202. Voice of America.
 Sec. 203. Bureau of Educational and Cultural Affairs.
 Sec. 204. National Endowment for Democracy.
 Sec. 205. East-West Center.
 Sec. 206. Diplomatic construction program.
 Sec. 207. Dissemination of information within the United States.
 Sec. 208. USIA satellite and television.
 Sec. 209. Voice of America hiring practices.
 Sec. 210. United States Advisory Commission on Public Diplomacy.
 Sec. 211. Foreign language services.
 Sec. 212. Use of fees for United States Information Agency publications and other programs.
 Sec. 213. The J. William Fulbright Scholarship Board.
 Sec. 214. Citizen exchanges.
 Sec. 215. United States-Soviet exchanges.
 Sec. 216. Scholarships for Tibetans and Burmese.
 Sec. 217. VOA public service announcements to promote child survival.
 Sec. 218. Voice of America broadcasts to Tibet.
 Sec. 219. Afghanistan Country Plan.
 Sec. 220. Distribution within the United States of United States Information Agency film entitled "Long Journey Home".
 Sec. 221. Voice of America's Thailand radio facilities.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4

Sec. 402. Procurement of legal services.
Sec. 403. Requirement for authorization of appropriations.

TITLE V—ASIA FOUNDATION

Sec. 501. Authorization of appropriations.

TITLE VI—INTERNATIONAL ORGANIZATIONS

Sec. 601. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
Sec. 602. United States membership in International Sugar Organization and International Tropical Timber Organization.
Sec. 603. Contribution to the regular budget of the International Committee of the Red Cross.
Sec. 604. International Boundary and Water Commission.
Sec. 605. Sense of Congress concerning the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).
Sec. 606. Report on United Nations Educational, Scientific, and Cultural Organization.
Sec. 607. United States Commission on Improving the Effectiveness of the United Nations.
Sec. 608. Sense of Congress concerning an enhanced role for the International Court of Justice in resolution of international disputes.
Sec. 609. Contributions for peacekeeping activities in Southern Africa.
Sec. 610. Annual report to Congress on voting practices at the United Nations.

TITLE VII—INTER-AMERICAN FOUNDATION

Sec. 701. Inter-American Foundation.

TITLE VIII—MISCELLANEOUS PROVISIONS

Sec. 801. Compliance with Congressional Budget Act.

TITLE IX—BUY-AMERICAN REQUIREMENT

Sec. 901. Buy-American requirement.

TITLE X—EFFECTIVE DATE

Sec. 1001. Effective date.

TITLE XI—USIA TIBETAN SCHOLARSHIPS

Sec. 1101. USIA Tibetan scholarships.

TITLE XII—AGGREGATE LIMIT OF AUTHORIZATIONS OF APPROPRIATIONS.

Sec. 1201. Aggregate limit of authorizations of appropriations.
Sec. 1202. Sense of the Congress concerning the funding of certain accounts.

TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

Sec. 301. Authorization of appropriations.
Sec. 302. Procurement of legal services.
Sec. 303. Radio Free Afghanistan.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Sec. 401. United States membership in International Sugar Organization.
Sec. 402. Reform in budget decision-making procedures of the United Nations and its specialized agencies.
Sec. 403. Annual report to Congress on voting practices at the United Nations.
Sec. 404. Policy on UNESCO.
Sec. 405. Membership of the Palestine Liberation Organization in United Nations agencies.

TITLE V—REFUGEE AND OTHER PROVISIONS

Sec. 501. United Nations High Commissioner for Refugees audit requirement.
Sec. 502. Worldwide refugee protection.
Sec. 503. Prohibition on exclusion or deportation of nonresident aliens.
Sec. 504. Report regarding Burmese students.

TITLE VI—GLOBAL ENVIRONMENT PROTECTION ACT

Sec. 601. Short title.

PART A—COMMERCIAL DEBT-FOR-NATURE EXCHANGES

Sec. 611. Amendment to the Foreign Assistance Act.

PART B—MULTILATERAL FOREIGN ASSISTANCE COORDINATION

Sec. 621. General policy.
Sec. 622. Policy on negotiations.

PART C—INTERNATIONAL DEBT EXCHANGES AND THE ENVIRONMENT

Sec. 631. Sense of the Congress resolution regarding Environmental Policy and International Debt Exchanges.
Sec. 632. Reports.
Sec. 633. Multilateral development banks and debt-for-nature exchanges.

PART D—WILDLIFE AND NATURE PROTECTION

Sec. 641. Authorization for membership in the International Tropical Timber Organization.
Sec. 642. Authorization for membership in the International Union for the Conservation of Nature and Natural Resources.
Sec. 643. Authorization of appropriations for membership in wildlife conventions.

PART E—GLOBAL WARMING

Sec. 651. Report concerning Global Warming Prevention Information Network.

PART F—INTERNATIONAL ENVIRONMENTAL EDUCATION

Sec. 661. Policy Regarding Environmental Libraries.

PART G—MISCELLANEOUS PROVISIONS

Sec. 671. Energy efficiency technology transfer.
Sec. 672. International energy conference.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(5)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

TITLE VII—TELEVISION BROADCASTING TO CUBA ACT

- Sec. 701. Short title.
 Sec. 702. Findings; purposes.
 Sec. 703. Additional functions of the United States Information Agency.
 Sec. 704. Assistance from other Government agencies.
 Sec. 705. Authorization of appropriations.
 Sec. 706. Definitions.
 Sec. 707. Advisory Board for Cuba broadcasting.

TITLE VIII—PLO COMMITMENTS COMPLIANCE ACT OF 1989

- Sec. 801. Short title.
 Sec. 802. Findings.
 Sec. 803. Policy.
 Sec. 804. Reporting requirement.

TITLE IX—PEOPLE'S REPUBLIC OF CHINA

- Sec. 901. Policy toward additional sanctions against the People's Republic of China.

TITLE X—MISCELLANEOUS PROVISIONS

- Sec. 1001. Inter-American Foundation.
 Sec. 1002. Consideration by Senate committees of certain expedited legislation.
 Sec. 1003. Munitions control registration fees.
 Sec. 1004. Procedures for issuance of commercial arms export licenses.
 Sec. 1005. Prohibition on the use of military stems in Tibet.
 Sec. 1006. Use of herbicides for drug eradication.
 Sec. 1007. Report concerning Mexico.
 Sec. 1008. President's Foreign Intelligence Advisory Board.
 Sec. 1009. Establishment of Pacific Basin Forum.
 Sec. 1010. Democracy, human rights, and justice in the People's Republic of China.
 Sec. 1011. Support for the Benjamin Franklin house museum and library.
 Sec. 1012. Report concerning an International Agricultural Conservation Reserve.
 Sec. 1013. High seas driftnet fishing.
 Sec. 1014. Chemical and biological weapons suppliers group.
 Sec. 1015. Report on a monitoring system for the INF Treaty.
 Sec. 1016. Presidential report on the feasibility of a NATO-Warsaw Pact military communications link.
 Sec. 1017. Condemning the brutal treatment of, and blatant discrimination against, the Turkish minority by the government of the People's Republic of Bulgaria, and authorizing assistance for the relief of Turkish refugees fleeing Bulgaria.
 Sec. 1018. Human rights in Yugoslavia.
 Sec. 1019. Policy toward the future of Taiwan.
 Sec. 1020. Increasing amount of rewards for combating terrorism.
 Sec. 1021. Repeal section 404, title IV of Public Law 101-43.
 Sec. 1022. Importation of certain defense articles from Poland and Hungary.
 Sec. 1023. Support for the people of Soviet Armenia.
 Sec. 1024. Expressing the support of the Congress for free and fair elections in Burma.
 Sec. 1025. Clean coal technology export program.
 Sec. 1026. Association of democratic nations.
 Sec. 1027. Assignment of commercial officers to the United States mission to the European Community.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

6

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

Sec. 1028. Policy toward Cuba.
Sec. 1029. Policy toward the control of illegal drugs in Mexico.
Sec. 1030. Policy toward coproduction of Korean fighter program.
Sec. 1031. Future of Hong Kong.
Sec. 1032. Policy toward human rights abuses in Romania.
Sec. 1033. Yang Wei.
Sec. 1034. An amendment to the Mutual Educational and Cultural Exchange Act and Related Materials (Public Law 87-255).
Sec. 1035. Report to Congress on the acquisition and use of public programming materials.
Sec. 1036. Resolution of declassification.
Sec. 1037. Student visas for Chinese students in Japan.
Sec. 1038. Appointment of the new administrator of the Panama Canal Commission.
Sec. 1039. Expressing the sense of the Senate concerning the situation in Lebanon.
Sec. 1040. Policy towards the future of Tibet.
Sec. 1041. Tiananmen Square Park authorization.
Sec. 1042. Chinese fleeing coercive population control policies.
Sec. 1043. Prohibition on negotiations with certain Palestine Liberation Organization representatives.
Sec. 1044. Conservation of sea turtles.
Sec. 1045. Policy regarding Soviet Bloc military assistance for Central America.
Sec. 1046. Soviet and Vietnamese nationals refugee status.
Sec. 1047. Soviet and Vietnamese nationals adjustment to lawful permanent resident status.

Sec. 1048. Cuban arms smuggling operation.
Sec. 1049. Cuban drug trafficking.
Sec. 1050. Policy regarding human rights abuses in Cuba.
Sec. 1051. Commemoration of victims of terrorism.
Sec. 1052. Establishment of an international strike force.
Sec. 1053. Creation of a multilateral anti-narcotics strike force.
Sec. 1054. Schools on West Bank.
Sec. 1055. Role of the Congress in the formulation of United States foreign policy.
Sec. 1056. Assistance for the Cambodian people.
Sec. 1057. Treatment of Hong Kong as a separate foreign state for numerical limitations.
Sec. 1058. Multilateral sanctions against South Africa.
Sec. 1059. Sense of the Congress regarding the situation in the Republic of South Africa.
Sec. 1060. Contributions for peacekeeping activities in Southern Africa.
Sec. 1061. Recognition of Panamanian President.
Sec. 1062. Treaties with Soviet Union on boundaries of the United States.
Sec. 1063. United Nations sponsorship of a Middle East Peace Conference.
Sec. 1064. Facilitating the detection of plastic explosives used by international terrorists.
Sec. 1065. Promoting freedom in Soviet Georgia.
Sec. 1066. Authorization of appropriations. (Ukraine Science Commission)
Sec. 1067. Prohibition on certain transactions between certain United States firms and Cuba.
Sec. 1068. Sense of the Senate that the Office of the United States Trade Representative shall have a representative in the American embassy in Tokyo.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

5
1 **TITLE I—DEPARTMENT OF STATE**
2 **PART A—AUTHORIZATION OF APPROPRIATIONS;**
3 **ALLOCATIONS OF FUNDS; RESTRICTIONS**
4 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**
5 (a) **DIPLOMATIC AND ONGOING OPERATIONS.**—The
6 following amounts are authorized to be appropriated for the
7 Department of State under "Administration of Foreign Af-
8 fairs" to carry out the authorities, functions, duties, and re-
9 sponsibilities in the conduct of the foreign affairs of the
10 United States and for other purposes authorized by law other
11 than the diplomatic security program:
12 (1) **SALARIES AND EXPENSES.**—For "Salaries
13 and Expenses", of the Department of State
14 \$1,496,387,000 for the fiscal year 1990 and
15 \$1,610,438,000 for the fiscal year 1991, of which not
16 less than \$250,000 for each fiscal year shall be avail-
17 able only for use by the Bureau of International Com-
18 munications and Information Policy to support interna-
19 tional institutional development and other activities
20 which promote international communications and infor-
21 mation development.
22 (2) **ACQUISITION AND MAINTENANCE OF BUILD-**
23 **INGS ABROAD.**—For "Acquisition and Maintenance of
24 Buildings Abroad", \$218,900,000 for the fiscal year
25 1990 and \$227,656,000 for the fiscal year 1991.

1 **TITLE I—THE DEPARTMENT OF STATE**
2 **PART A—AUTHORIZATION OF APPROPRIATIONS;**
3 **ALLOCATION OF FUNDS**
4 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**
5 The following amounts are authorized to be appropri-
6 ated for fiscal year 1990 for the Department of State for the
7 "Administration of Foreign Affairs" to carry out the authori-
8 ties, functions, duties, and responsibilities in the conduct of
9 the foreign affairs of the United States and for other purposes
10 authorized by law:
11 (1) For "Salaries and Expenses" of the Depart-
12 ment of State, (other than the Diplomatic Security
13 Program), \$1,485,187,000.
14
15 (3) For the "Office of the Inspector General",
16 \$18,672,000.
17
18 (4) For the "Acquisition and Maintenance of
19 Buildings Abroad", \$218,900,000.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(2)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
6		
1 (3) REPRESENTATION ALLOWANCES.—For 2 "Representation Allowances", \$4,600,000 for the 3 fiscal year 1990 and \$4,784,000 for the fiscal year 4 1991.	3 (5) For "Representation Allowances", 4 \$4,600,000.	
5 (4) EMERGENCIES IN THE DIPLOMATIC AND 6 CONSULAR OFFICE.—For "Emergencies in the Diplo- 7 matic and Consular Office", \$4,700,000 for the fiscal 8 year 1990 and \$4,888,000 for the fiscal year 1991.	7 (7) For "Emergencies in the Diplomatic and Con- 8 sular Service", \$4,700,000.	
9 (5) PAYMENT TO THE AMERICAN INSTITUTE IN 10 TAIWAN.—For "Payment to the American Institute in 11 Taiwan", \$11,300,000 for the fiscal year 1990 and 12 \$11,752,000 for the fiscal year 1991.	9 (8) For the "American Institute in Taiwan", 10 \$11,300,000.	
13 (b) DIPLOMATIC SECURITY PROGRAM.—In addition to 14 amounts authorized to be appropriated by subsection (a), the 15 following amounts are authorized to be appropriated under 16 "Administration of Foreign Affairs" for fiscal years 1990 and 17 1991 for the Department of State to carry out the diplomatic 18 security program:		
19 (1) SALARIES AND EXPENSES.—For "Salaries 20 and Expenses", \$361,995,000 for the fiscal year 1990 21 and \$376,475,000 for the fiscal year 1991.	14 (2) For "Salaries and Expenses" of the Diplom- 15 ic Security Program, \$310,365,000.	
22 (2) PROTECTION OF FOREIGN MISSIONS AND OF- 23 FICIALS.—For "Protection of Foreign Missions and 24 Officials", \$9,100,000 for the fiscal year 1990 and 25 \$9,464,000 for the fiscal year 1991.	5 (6) For the "Protection of Foreign Missions and 6 Officials", \$9,100,000.	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

9

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7

(c) ALLOCATION FOR OFFICE OF MUNITIONS CON-
TROL.—Of the amounts authorized to be appropriated by this
section such amount as is necessary to maintain 53 full-time
equivalent personnel and any associated costs shall be avail-
able only for the Office of Munitions Control for each of the
fiscal years 1990 and 1991.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(10)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

SEC. 102. INTERNATIONAL ORGANIZATIONS AND CONFERENCES.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—

(1) There is authorized to be appropriated for "Contributions to International Organizations", \$714,927,000 for the fiscal year 1990 and \$817,000,000 for fiscal year 1991 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and for other purposes authorized by law.

(2) Of the amounts authorized to be appropriated by paragraph (1), \$1,249,000 for fiscal year 1990 shall be available only for the South Pacific Commission.

(3) Notwithstanding section 727 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204), of the amounts authorized to be appropriated by paragraph (1), \$100,000 shall be available only for the United States Commission on Improving the Effectiveness of the United Nations.

11 SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS AND CONFERENCES.

13 (a) AUTHORIZATION OF APPROPRIATIONS.—The following amounts are authorized to be appropriated to the Department of State under "International Organizations and Conferences" for fiscal year 1990:

17 (1) For "Contributions to International Organizations", \$714,927,000.

3 (b) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated by paragraph (1), \$1,249,000 for fiscal year 1990 are authorized to be appropriated for the South Pacific Commission.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(U)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>4 (4) The Assistant Secretary for Inter-American 5 Affairs through the Bureau of Inter-American Affairs 6 shall assume direct and complete responsibility for the 7 management of all aspects of United States relations 8 with, including the management of United States con- 9 tributions to, the Organization of American States.</p>	<p>19 (2) For "Contributions for International Peace- 20 keepings Activities", \$111,184,000.</p>	
<p>10 (b) CONTRIBUTIONS TO INTERNATIONAL PEACEKEEP- 11 ING ACTIVITIES.—There is authorized to be appropriated for 12 "Contributions to International Peacekeeping Activities", 13 \$111,184,000 for the fiscal year 1990 and \$115,000,000 for 14 the fiscal year 1991 for the Department of State to carry out 15 the authorities, functions, duties, and responsibilities in the 16 conduct of the foreign affairs of the United States with re- 17 spect to international peacekeeping activities and for other 18 purposes authorized by law.</p>	<p>21 (3) For "International Conferences and Contin- 22 gencies", \$6,340,000.</p>	
<p>19 (c) INTERNATIONAL CONFERENCES AND CONTINGEN- 20 CIES.—(1) There is authorized to be appropriated for "Inter- 21 national Conferences and Contingencies", \$6,340,000 for the 22 fiscal year 1990 and \$7,300,000 for the fiscal year 1991 for 23 the Department of State to carry out the authorities, func- 24 tions, duties, and responsibilities in the conduct of the foreign 25 affairs of the United States with respect to international con-</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

12

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9

ferences and contingencies and for other purposes authorized by law.

(2) None of the funds authorized to be appropriated under paragraph (1), may be obligated or expended for any United States delegation to any meeting of the Conference on Security and Cooperation in Europe (CSCE) or meetings within the framework of the CSCE unless the United States delegation to any such meeting includes individuals representing the Commission on Security and Cooperation in Europe.

7 (c) PROHIBITION.—None of the funds authorized to be
8 appropriated under subsection (a)(3), may be obligated or ex-
9 pended for any United States delegation to any meeting of
10 the Conference on Security and Cooperation in Europe
11 (CSCE) or meetings within the framework of the CSCE
12 unless the United States delegation to any such meeting in-
13 cludes individuals representing the Commission on Security
14 and Cooperation in Europe.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

13

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 103. INTERNATIONAL COMMISSIONS.

12 The following amounts are authorized to be appropri-
 13 ated under "International Commissions" for the Department
 14 of State to carry out the authorities, functions, duties, and
 15 responsibilities in the conduct of the foreign affairs of the
 16 United States and for other purposes authorized by law:

17 (1) INTERNATIONAL BOUNDARY AND WATER
 18 COMMISSION, UNITED STATES AND MEXICO.—For
 19 "International Boundary and Water Commission,
 20 United States and Mexico", \$21,960,000 for the fiscal
 21 year 1990 and \$22,838,000 for the fiscal year 1991.

22 (2) INTERNATIONAL BOUNDARY COMMISSION,
 23 UNITED STATES AND CANADA.—For "International
 24 Boundary Commission, United States and Canada",
 1 \$750,000 for the fiscal year 1990 and \$780,000 for
 2 the fiscal year 1991.

3 (3) INTERNATIONAL JOINT COMMISSION.—For
 4 "International Joint Commission", \$3,750,000 for the
 5 fiscal year 1990 and \$3,900,000 for the fiscal year
 6 1991.

7 (4) INTERNATIONAL FISHERIES COMMISSIONS.—
 8 For "International Fisheries Commissions",
 9 \$11,000,000 for the fiscal year 1990 and \$11,440,000
 10 for the fiscal year 1991.

3 SEC. 103. INTERNATIONAL COMMISSIONS.

4 The following amounts are authorized to be appropri-
 5 ated to the Department of State under "International Com-
 6 missions" for fiscal year 1990:

7 (1) For the salaries and expenses of the "Internation-
 8 al Boundary and Water Commission, United States
 9 and Mexico", \$10,460,000.

10 (2) For construction projects for the "Internation-
 11 al Boundary and Water Commission, United States
 12 and Mexico", \$11,500,000.

13 (3) For the "International Boundary Commission,
 14 United States and Canada", \$750,000.

15 (4) For the "International Joint Commission",
 16 \$3,750,000.

17 (5) For "International Fisheries Commissions",
 18 \$11,000,000.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(17)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

SEC. 104. OTHER PROGRAMS.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—The following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) UNITED STATES BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS.—For "United States Bilateral Science and Technology Agreements", \$4,000,000 for the fiscal year 1990 and \$4,160,000 for the fiscal year 1991.

(2) SOVIET-EAST EUROPEAN RESEARCH AND TRAINING.—For "Soviet-East European Research and Training", \$4,600,000 for the fiscal year 1990 and \$4,784,000 for the fiscal year 1991.

(3) MIGRATION AND REFUGEE ASSISTANCE.—For "Migration and Refugee Assistance", \$411,950,000 for the fiscal year 1990 and \$428,428,000 for the fiscal year 1991.

(b) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated by paragraph (3) of subsection (a) \$25,000,000 for the fiscal year 1990 and \$25,000,000 for the fiscal year 1991 shall be available only for assistance for refugees resettling in Israel.

~~SEC. 105.~~

(b) OTHER PROGRAMS.—There are authorized to be appropriated for fiscal year 1990 to the Department of State for the following programs:

(1) For United States Bilateral Science and Technology Agreements, \$4,000,000.

(2) For Soviet-East European Research and Training, \$5,000,000.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

There are authorized to be appropriated for "Migration and Refugee Assistance" \$370,000,000 for fiscal year 1990, of which \$25,000,000 are authorized to be appropriated for assistance for refugees resettling in Israel.

(Byrd-Hatchell)

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(15)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR MIGRATION AND REFUGEE ASSISTANCE FOR THE FISCAL YEAR 1989.—In addition to such other amounts as are authorized to be appropriated or otherwise made available to the Department of State for the fiscal year 1989 for "Migration and Refugee Assistance", there is authorized to be appropriated for "Migration and Refugee Assistance", \$100,000,000 for the fiscal year 1989. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(16)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 106. AVAILABILITY OF FUNDS.

4 (a) IN GENERAL.—Section 24(b) of the State Depart-
5 ment Basic Authorities Act of 1956 (22 U.S.C. 2696(b)) is
6 amended—

7 (1) by redesignating paragraphs (4) through (6)
8 as paragraphs (5) through (7), respectively;

9 (2) by inserting after paragraph (3) the following
10 new paragraph:

11 “(4)(A) Not later than the end of the two-fiscal year
12 period immediately succeeding the end of the last fiscal year
13 for which appropriations (other than no-year appropriations)
14 for any account under the heading ‘Administration of For-
15 eign Affairs’ have been made available to the Department of
16 State, amounts obligated during the period of availability
17 may, if deobligated after expiration of the period of availabil-
18 ity for obligation for such appropriations, be transferred into
19 and merged with the ‘Buying Power Maintenance Account’.
20 The authority of paragraph (4)(A) shall be exercised only to
21 such extent or in such amounts as are provided in advance in
22 an appropriation Act.

23 “(B) For purposes of subparagraph (A), the term ‘no-
24 year appropriations’ means appropriations which are made
25 available without regard to any fiscal year limitation.”

•HR 1487 KAN

17

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (3) by adding at the end thereof the following new
2 subsection:
3 “(e) Amounts authorized to be appropriated for a fiscal
4 year for the Department of State are authorized to be obligat-
5 ed for twelve-month contracts which are to be performed in
6 two fiscal years, if the total amount for such contracts is
7 obligated in the earlier fiscal year.”
8 (b) EFFECTIVE DATE.—The amendments made by
9 subsection (a) shall apply only to funds appropriated for
10 fiscal year 1987 and thereafter, except that section 24(b)(4)
11 of the State Department Basic Authorities Act of 1956, as
12 added by subsection (a), shall apply only to funds which are
13 deobligated after the date of enactment of this Act.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(16)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

12

1 SEC. 105. REDUCTION IN EARMARKS IF APPROPRIATIONS ARE
2 LESS THAN AUTHORIZATIONS.

3 The State Department Basic Authorities Act of 1956 is
4 amended by inserting after section 10 the following new
5 section:

6 "SEC. 11. REDUCTION IN EARMARKS IF APPROPRIATIONS ARE
7 LESS THAN AUTHORIZATIONS.

8 "If the amount appropriated (or made available in the
9 event of a sequestration order issued pursuant to the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985
11 (Public Law 99-177; 2 U.S.C. 901 et seq.) for a fiscal year
12 pursuant to any authorization of appropriations provided by
13 an Act other than an appropriation Act is less than the au-
14 thorization amount and a provision of that Act provides that
15 a specified amount of the authorization amount shall be avail-
16 able only for a certain purpose, then the amount so specified
17 shall be deemed to be reduced for that fiscal year to the
18 amount which bears the same ratio to the specified amount as
19 the amount appropriated (or made available in the event of
20 sequestration) bears to the authorization amount."

and

11 (3) by adding at the end thereof the following new
12 subsections: (2416) of Basic Authorities

13 ["(e) If—

14 "(1) the amount appropriated (or made available
15 in the event of a sequestration order issued pursuant to
16 the Balanced Budget and Emergency Deficit Control
17 Act of 1985 (Public Law 99-177, as amended)) for a
18 fiscal year pursuant to any authorization of appropria-
19 tions provided by an Act other than an appropriation
20 Act is less than the amount authorized to be appropri-
21 ated, and

22 "(2) a provision of that Act provides that a speci-
23 fied amount of the amount authorized to be appropri-
24 ated shall be available only for a certain purpose,

1 then the amount so specified shall be reduced for that fiscal
2 year to an amount which bears the same ratio to the specified
3 amount as the amount appropriated (or made available in the
4 event of sequestration) bears to the amount authorized to be
5 appropriated.]

/ Reid-Hartfield

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(14)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>1 SEC. 106. AVAILABILITY OF FUNDS.</p> <p>2 Section 24 of the State Department Basic Authorities</p> <p>3 Act of 1956 (22 U.S.C. 269b) is amended by adding after</p> <p>4 subsection (d) the following new subsection:</p> <p>5 "(e) Amounts authorized to be appropriated for a fiscal</p> <p>6 year for the Department of State or to the Secretary of State</p> <p>7 are authorized to be obligated in such fiscal year for contracts</p> <p>8 for periods not exceeding 12 months which are to be per-</p> <p>9 formed in 2 fiscal years."</p>	<p>1 (3) by adding at the end thereof the following new</p> <p>2 subsection:</p> <p>3 "(e) Amounts authorized to be appropriated for a fiscal</p> <p>4 year for the Department of State are authorized to be obligat-</p> <p>5 ed for twelve-month contracts which are to be performed in</p> <p>6 two fiscal years, if the total amount for such contracts is</p> <p>7 obligated in the earlier fiscal year."</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 **PART B—DEPARTMENT OF STATE AUTHORITIES AND**
15 **ACTIVITIES; FOREIGN MISSIONS**

16 **SEC. 111. PROHIBITION ON SOLICITING OR DIVERTING FUNDS**
17 **TO CARRY OUT ACTIVITIES FOR WHICH UNITED**
18 **STATES ASSISTANCE IS PROHIBITED.**

19 *Chapter 1 of part III of the Foreign Assistance Act of*
20 *1961 is amended by adding at the end thereof the following*
21 *new section:*

22 *"SEC. 620F. PROHIBITION ON SOLICITING OR DI-*
23 *VERTING FUNDS TO CARRY OUT ACTIVITIES FOR WHICH*
24 *UNITED STATES ASSISTANCE IS PROHIBITED.—*

1 *"(a) PROHIBITION.—(1) Whenever any provision of*
2 *United States law enacted on or after the date of enactment*
3 *of the Foreign Relation Authorization Act, Fiscal Year*
4 *1990, expressly prohibits all United States assistance, or all*
5 *assistance under a specified United States assistance ac-*
6 *count, from being provided to any specified foreign region,*
7 *country, government, group, or individual, then—*

8 *"(A) no officer or employee of the United States*
9 *Government may solicit the provision of funds or mate-*
10 *rial assistance by any foreign government (including*
11 *any instrumentality or agency thereof), foreign person,*
12 *or United States person, and*

13 *"(B) no United States assistance shall be provid-*
14 *ed to any third party,*
15 *if the provision of such funds or assistance would have the*
16 *purpose or direct effect of furthering or carrying out the same*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(21)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

<p>"(B) sales, credits, and guaranties under the Arms Export Control Act;</p> <p>"(C) export licenses issued under the Arms Export Control Act; and</p> <p>"(D) activities authorized pursuant to the National Security Act of 1947 (50 U.S.C. 410 et seq.), the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or Executive Order Number 12333 (December 4, 1981), excluding any activity involving the provision or sharing of intelligence information; and</p> <p>"(3) the term 'United States assistance account' means an account corresponding to an authorization of appropriations for United States assistance.</p> <p>"(e) CONSTRUCTION.—Nothing in this section shall be construed to limit the full Constitutional powers of the President to conduct the foreign policy of the United States."</p>	<p>17 or similar activities, with respect to that region, country, government, group, or individual, for which United States assistance is prohibited.</p> <p>20 "(2) As used within the meaning of paragraph (1)(B),</p> <p>21 assistance which is provided for a particular purpose includes assistance provided under an arrangement condition-</p> <p>22 cludes assistance provided under an arrangement condition-</p> <p>23 ing, expressly or impliedly, action by the recipient to further</p> <p>24 that purpose.</p> <p>1 "(b) PENALTY.—Any person who violates the provision</p> <p>2 of subsection (a)(1)(A) (relating to solicitation) shall be im-</p> <p>3 prisoned not more than 5 years or fined in accordance with</p> <p>4 title 18, United States Code, or both.</p> <p>5 "(c) APPLICABILITY.—The provisions of this section</p> <p>6 shall not be superseded except by a provision of law enacted</p> <p>7 on or after the date of enactment of the Foreign Relations</p> <p>8 Authorization Act, Fiscal Year 1990, which specifically re-</p> <p>9 peals, modifies, or supersedes the provisions of this section.</p> <p>10 "(d) DEFINITIONS.—For purposes of this section—</p> <p>11 "(1) the term 'person' includes (A) any natural</p> <p>12 person, (B) any corporation, partnership, or other legal</p> <p>13 entity, and (C) any organization, association, or other</p> <p>14 group;</p> <p>15 "(2) the term 'United States assistance' means—</p> <p>16 "(A) assistance of any kind under the For-</p> <p>17 eign Assistance Act of 1961;</p>	
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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

22

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>PART B—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES: FOREIGN MISSIONS</p> <p>SEC. 121. AUTHORIZATION OF CERTAIN OPERATIONAL ACTIVITIES.</p> <p>Section 2 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669) is amended—</p> <p>(1) in subsection (g) by striking "and";</p> <p>(2) in subsection (h) by striking the period and in- serting "; and"; and</p> <p>(3) by adding after subsection (h) the following new subsections:</p> <p>"(i) pay obligations assumed in Germany on or after June 5, 1945;</p> <p>"(j) provide for telecommunications services; and</p> <p>"(k) provide for maximum physical security in Government-owned and leased properties and vehicles abroad."</p>	<p>10 SEC. 112. AUTHORIZATION OF CERTAIN OPERATIONAL ACTI- TIES.</p> <p>11</p> <p>12 Section 2 of the State Department Basic Authorities</p> <p>13 Act (22 U.S.C. 2669) is amended—</p> <p>14 (1) in subsection (g), by striking out "and" at the</p> <p>15 end thereof;</p> <p>16 (2) in subsection (h), by striking out the period at</p> <p>17 the end thereof and inserting in lieu thereof a semi-</p> <p>18 colon; and</p> <p>19 (3) by inserting the following new subsections:</p> <p>20 "(i) pay obligations assumed in Germany on or after</p> <p>21 June 5, 1945;</p> <p>22 "(j) provide telecommunications services; and</p> <p>23 "(k) provide maximum physical security in Govern-</p> <p>24 ment-owned and leased properties and vehicles abroad."</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(13)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
21 SEC. 122. FOREIGN SERVICE INSTITUTE FACILITIES. 22 Section 123(c)(2) of the Foreign Relations Authorization 23 Act, Fiscal Years 1986 and 1987 (Public Law 99-93) is 24 amended by striking "\$50,000,000" and inserting 25 "\$62,000,000".		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

24

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>14</p> <p>1 SEC. 123. WORKING CAPITAL FUND FOR OFFICE OF FOREIGN</p> <p>2 MISSIONS.</p> <p>3 Section 13(a) of the State Department Basic Authorities</p> <p>4 Act of 1956 (22 U.S.C. 2684) is amended—</p> <p>5 (1) by inserting "and" before "(4)";</p> <p>6 (2) by striking "; and (5) services and supplies to</p> <p>7 carry out title II of this Act"; and</p> <p>8 (3) by inserting after the first sentence "Such fund</p> <p>9 shall also be available without fiscal year limitation to</p> <p>10 carry out the purposes of title II of this Act."</p>	<p>15</p> <p>1 SEC. 113. WORKING CAPITAL FUND FOR OFFICE OF FOREIGN</p> <p>2 MISSIONS.</p> <p>3 Section 13 of the State Department Basic Authorities</p> <p>4 Act of 1956 (22 U.S.C. 2684) is amended—</p> <p>5 (1) in the first sentence—</p> <p>6 (A) by inserting "and" before "(4)"; and</p> <p>7 (B) by striking out "; and (5) services and</p> <p>8 supplies to carry out title II of this Act"; and</p> <p>9 (2) by inserting after the first sentence the follow-</p> <p>10 ing new sentence: "Such fund shall also be available</p> <p>11 without fiscal year limitation to carry out the purposes</p> <p>12 of title II of this Act".</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

25

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 SEC. 114. AUTHORITY OF DIPLOMATIC SECURITY SERVICE.
14 Section 37(a) of the State Department Basic Authori-
15 ties Act (22 U.S.C. 2709(a)) is amended—
16 (1) in paragraph (2), by redesignating clause (B)
17 as clause (C);
18 (2) in paragraph (2), by inserting after clause (A)
19 the following new clause:
20 "(B) make arrests without warrant for any
21 offense concerning passport or visa issuance or
22 use if the special agent has reasonable grounds to
23 believe that the person has committed or is com-
24 mitting such offense;" and
25 (3) in paragraph (5), by amending the text above
26 clause (A) to read as follows:
1 "(5) arrest without warrant any person for a vio-
2 lation of section 111, 112, 351, 970, or 1028 of title
3 18, United States Code—".

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 116. ACQUISITION OF DOMESTIC PROPERTY AS INTERIM
2 STEP TO ACQUIRING PROPERTY ABROAD.
3 (a) ADDITIONAL AUTHORITY FOR THE OFFICE OF
4 FOREIGN MISSIONS.—Section 203(c) of the State Depart-
5 ment Basic Authorities Act of 1956 (22 U.S.C. 4303(c)) is
6 amended—
7 (1) by striking out "and" at the end of para-
8 graph (2);
9 (2) by redesignating paragraph (3) as paragraph
10 (4); and
11 (3) by inserting after paragraph (2) the following
12 new paragraph:
13 "(3) dispose of property acquired in carrying out
14 the purposes of this Act; and".
15 (b) PROVISION OF BENEFITS.—Section 204 of the
16 State Department Basic Authorities Act of 1956 (22 U.S.C.
17 4303) is amended—
18 (1) in subsection (b), by striking out "or" at the
19 end of paragraph (3);
20 (2) by inserting "or" at the end of paragraph (4);
21 (3) by adding at the end thereof the following new
22 paragraph:
23 "(5) to implement an exchange of property with a
24 foreign country, such property to be used by each gov-
25 ernment in the receiving state for or in connection with
26 diplomatic or consular establishments,"; and

(27)

HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
	<p>1 (4) by adding at the end thereof the following new</p> <p>2 subsection:</p> <p>3 "(f)(1) Upon a determination in each specific case by</p> <p>4 the Secretary of State or his designee that the purpose of the</p> <p>5 Foreign Service Buildings Act, 1926, can best be met on the</p> <p>6 basis of an in-kind exchange of properties with a foreign</p> <p>7 country pursuant to subsection (b)(5), the Secretary of State</p> <p>8 may transfer funds made available under the heading 'Acqui-</p> <p>9 sition and Maintenance of Buildings Abroad' for such pur-</p> <p>10 pose, including funds held in the Foreign Service Buildings</p> <p>11 Fund, to the Working Capital Fund, as provided in section</p> <p>12 208(h)(1). In addition to any funds that may be provided by</p> <p>13 a foreign government for the purchase of property, only funds</p> <p>14 transferred to the Working Capital Fund from the 'Acquisi-</p> <p>15 tion of Maintenance of Buildings Abroad' account or the</p> <p>16 Foreign Service Buildings Fund account may be used for the</p> <p>17 purposes of subsection (b)(5).</p> <p>18 "(2) The Secretary of State may acquire property in the</p> <p>19 United States for the purposes of subsection (b)(5) only in</p> <p>20 the context of a specific reciprocal agreement with a specified</p> <p>21 foreign government. Property acquired by the United States</p> <p>22 in the foreign country through such an exchange shall benefit</p> <p>23 the United States at least to the same extent as the property</p> <p>24 acquired in the United States benefits the foreign govern-</p> <p>25 ment.</p>	

20

HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
	<p>1 “(3)(A) Proceeds from disposition of properties acquired</p> <p>2 pursuant to this subsection shall be credited to the Foreign</p> <p>3 Service Buildings Fund under section 9 of the Foreign Serv-</p> <p>4 ice Buildings Act, 1926.</p> <p>5 “(B) The authority to spend proceeds received under</p> <p>6 subparagraph (A) may be exercised only to such extent or in</p> <p>7 such amounts as are provided in advance in an appropriation</p> <p>8 Act.”</p> <p>9 (c) ADDITIONAL AUTHORITY.—Section 9(a)(1) of the</p> <p>10 Foreign Service Buildings Act, 1926 (22 U.S.C. 300(a)(1)),</p> <p>11 is amended by inserting after “countries” the following: “or</p> <p>12 in the United States pursuant to section 204(b)(5) of the</p> <p>13 State Department Basic Authorities Act of 1956”.</p> <p>14 SEC. 117. INTERNATIONAL CENTER</p> <p>15 Section 4 of the International Center Act is amended by</p> <p>16 adding at the end thereof the following new subsection:</p> <p>17 “(c)(1) The Department of State is authorized to charge</p> <p>18 other United States Government agencies for the lease or use</p> <p>19 of facilities located at the International Center and used for</p> <p>20 the purposes of security and maintenance. Any payments re-</p> <p>21 ceived for lease or use of such facilities shall be credited to the</p> <p>22 account entitled ‘International Center, Washington, District</p> <p>23 of Columbia’ and shall be available, without fiscal year limi-</p> <p>24 tation, to cover the operating expenses of such facilities, in-</p>	

(21)

HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
	<p>1 cluding administration, maintenance, utilities, repairs, and 2 alterations. 3 "(2) The authority of paragraph (1) shall be exercised 4 only to such extent or in such amounts as are provided in 5 advance in an appropriation Act."</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

20

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 12a. ACCESS TO CRIMINAL RECORDS.
12 Section 9101 of title 5, United States Code, is
13 amended—
14 (1) in subsection (b)(1), by inserting “, the Depart-
15 ment of State,” after “the Central Intelligence
16 Agency”;
17 (2) in subsection (c), by inserting “the Department
18 of State,” after “the Central Intelligence Agency.”;
19 and
20 (3) by adding at the end thereof the following new
21 subsection:
22 “(d) The authority provided under this section with re-
23 spect to the Department of State may be exercised only so
24 long as the Department of State continues to extend to its
25 employees and applicants for employment, at a minimum,
1 those procedural safeguards provided for as part of the secu-
2 rity clearance process that are currently available pursuant to
3 section 163.4 of volume 3 of the Foreign Affairs Manual.”.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(31)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>1 SEC. 124. MUNITIONS CONTROL REGISTRATION FEES.</p> <p>2 For each fiscal year, \$500,000 of the registration fees</p> <p>3 collected by the Office of Munitions Control of the Depart-</p> <p>4 ment of State shall be credited to a Department of State</p> <p>5 account, to be available without fiscal year limitation. Fees</p> <p>6 credited to that account shall be available only for payment</p> <p>7 of expenses incurred for—</p> <p>8 (1) contract personnel to assist in the evaluation</p> <p>9 of munitions control license applications, reduction in</p> <p>10 processing time for license applications, and improved</p> <p>11 monitoring of compliance with the terms of licenses;</p> <p>12 and</p> <p>13 (2) the automation of munitions control functions</p> <p>14 and the processing of munitions control license applica-</p> <p>15 tions, including the development, procurement, and uti-</p> <p>16 lization of computer equipment and related software.</p>	<p>12 SEC. 1003. MUNITIONS CONTROL REGISTRATION FEES.</p> <p>13 Section 38(b)(3)(A) of the Arms Export Control Act</p> <p>14 (22 U.S.C. 2778(b)(3)(A)) is amended by striking out "each</p> <p>15 of the fiscal years 1988 and 1989" and inserting in lieu</p> <p>16 thereof "fiscal year 1990".</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

34

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

119
7 SEC. ~~10~~ CONSULAR OFFICER DUTIES.
8 Section 31 of the Act of June 22, 1860 (12 Stat. 79; 22
9 U.S.C. 4192), relating to the solemnizing of marriages, is
10 repealed.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

33

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>16</p> <p>1 “(1) because of a break or downgrading of diplo-</p> <p>2 matic relations between the United States and the</p> <p>3 country in which the post is located; or</p> <p>4 “(2) because there is a real and present threat to</p> <p>5 United States diplomatic or consular personnel in the</p> <p>6 city where the post is located and a travel advisory</p> <p>7 warning against American travel to that city has been</p> <p>8 issued by the Department of State.</p> <p>9 “(d) SEQUESTRATION.—In the case that a sequestra-</p> <p>10 tion order is issued pursuant to Part C of the Balanced</p> <p>11 Budget and Emergency Deficit Control Act of 1985 (2</p> <p>12 U.S.C. 901 et seq.; Public Law 99-177), the Secretary of</p> <p>13 State may, as part of an agencywide austerity proposal,</p> <p>14 submit a report proposing a list of diplomatic and consular</p> <p>15 posts to be downgraded or closed in order to comply with the</p> <p>16 sequestration order, together with a justification for the inclu-</p> <p>17 sion of each post on such list. Such report shall be submitted</p> <p>18 to the Committee on Foreign Relations and the Committee</p> <p>19 on Appropriations of the Senate and the Committee on For-</p> <p>20 eign Affairs and the Committee on Appropriations of the</p> <p>21 House of Representatives.</p> <p>22 “(e) DEFINITION.—As used in this section, the term</p> <p>23 ‘diplomatic or consular post’ does not include a post to which</p> <p>24 only personnel of agencies other than the Department of</p> <p>25 State are assigned.”</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
15		
1 SEC. 125. DIPLOMATIC AND CONSULAR POSTS ABROAD.		
2 Section 122 of the Foreign Relations Authorization Act,		
3 Fiscal Years 1988 and 1989 (Public Law 100-204) is		
4 amended to read as follows:		
5 "SEC. 122. DIPLOMATIC AND CONSULAR POSTS ABROAD.		
6 "(a) OPERATION OF POSTS.—Except as provided by		
7 this section, no funds authorized to be appropriated by this or		
8 any other Act shall be available to pay any expense related		
9 to the closing or downgrading through reductions in staff or		
10 operations of a diplomatic or consular post.		
11 "(b) CONGRESSIONAL NOTIFICATION.—Except as pro-		
12 vided in subsections (c) and (d), a diplomatic or consular post		
13 may be closed or downgraded through reductions in staff or		
14 operations only if not less than 365 days prior to a proposed		
15 closing or downgrading of a post, the Secretary of State pre-		
16 pares and submits a notification, together with any justifica-		
17 tions, of such proposed action to the Committee on Foreign		
18 Relations and the Committee on Appropriations of the		
19 Senate and the Committee on Foreign Affairs and the		
20 Committee on Appropriations of the House of Repre-		
21 sentatives.		
22 "(c) EXCEPTIONS.—The provisions of subsection (b),		
23 shall not apply with respect to any post closed or downgrad-		
24 ed through reductions in staff or operations—		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

4 SEC. 121. STATE DEPARTMENT POST OFFICES ABROAD.
5 Title 39, United States Code, is amended—
6 (1) in the heading for section 406, by inserting
7 "and diplomatic posts abroad" after "installations";
8 (2) in section 406(a), by striking out "Forces and"
9 and inserting in lieu thereof "Forces,";
10 (3) by inserting ", and at diplomatic posts abroad"
11 before the period at the end thereof;
12 (4) in section 406(b), by inserting ", State," after
13 "Defense";
14 (5) in the heading for section 3401, by adding at
15 the end thereof "and United States Government em-
16 ployees assigned to United States diplomatic missions
17 abroad";
18 (6) in section 3401(e)—
19 (A) by inserting "and the Department of
20 State" after "Department of Defense" the first
21 place it appears;
22 (B) by striking out "the Department of De-
23 fense" the second place it appears and inserting in
24 lieu thereof "these agencies";

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

36

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (C) by inserting "or diplomatic posts abroad"
2 after "Armed Forces post offices"; and
3 (D) by inserting "or a diplomatic post
4 abroad" before the period at the end thereof;
5 (7) in section 3401(f), by inserting "or the Secre-
6 tary of State" after "Secretary of Defense"; and
7 (8) by adding at the end thereof the following new
8 subsection:
1 "(g) The authority provided in this section shall be exer-
2 cised with respect to diplomatic posts only to the extent that
3 the total cost of postal service provided by the Department of
4 State pursuant to such authority does not exceed the total
5 cost of postal service that would be incurred by the Depart-
6 ment of State in the absence of such authority."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(37)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 SEC. 111. OPENING AN AMERICAN CONSULATE IN BRATISLAVA.

8 (a) FINDINGS.—The Congress finds that—

9 (1) the State Department's "small consulate" con-
10 cept offers a model for reopening a consulate in Bratis-
11 lava at modest cost and with significant public diplo-
12 macy and political benefits;

13 (2) the United States still owns the old consulate
14 building and in 1987-1988 spent about \$500,000 to
15 renovate parts of the building;

16 (3) the building has been productively used for
17 trade and cultural events, but could be more effectively
18 used by restoring it to its original purpose as the locus
19 of official United States representation in the Slovak
20 capital;

21 (4) Slovakia has been the source of the largest
22 and most recent wave of Czechoslovak emigration to
23 the United States and approximately three and one-
24 half million Americans are of Slovak heritage;

1 (5) American tourists of Slovakia, many visiting
2 relatives, often require consular assistance and this
3 consular support could best be provided by a consulate
4 in Bratislava;

5 (6) Slovaks account for more than half of all
6 Czechoslovak tourist travel to the United States and
7 this travel, which should be encouraged, could be expe-

8 dited by an American consulate in Bratislava.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

38

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
	<p>9 (7) the Slovak underground Catholic Church is</p> <p>10 one of the most vibrant religious forces in Czechoslova-</p> <p>11 kia and each year tens of thousands of Catholics make</p> <p>12 pilgrimages to Slovakia;</p> <p>13 (8) American outreach efforts in Slovakia have</p> <p>14 been hindered by the absence of a constant and direct</p> <p>15 American presence in Bratislava; and</p> <p>16 (9) with its Hungarian, Polish, and Ukranian</p> <p>17 minorities, an American consulate in Bratislava would</p> <p>18 provide important information on both regional and</p> <p>19 local developments.</p> <p>20 (b) SENSE OF THE CONGRESS.—It is the sense of the</p> <p>21 Congress that the President should take all practicable steps</p> <p>22 to reopen the American consulate in Bratislava.</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

39

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
17 1 SEC. 126. CLOSING OF DIPLOMATIC AND CONSULAR POSTS IN 2 ANTIGUA AND BARBUDA. 3 Section 123 of the Foreign Relations Authorization Act, 4 Fiscal Years 1988 and 1989 (Public Law 100-204) is re- 5 pealed.		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

40

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>6 SEC. 127. REPORT TO CONGRESS CONCERNING OCEANIA.</p> <p>7 Not more than 180 days after the date of the enactment</p> <p>8 of this Act, and annually thereafter, the Secretary of State</p> <p>9 shall prepare and submit an unclassified report to the Com-</p> <p>10 mittee on Foreign Affairs of the House of Representatives</p> <p>11 which—</p> <p>12 (1) sets forth in detail the policy of the United</p> <p>13 States with respect to Oceania which is comprised of</p> <p>14 Polynesia, Micronesia, and Melanesia;</p> <p>15 (2) examines the nature, extent, and source of po-</p> <p>16 litical, social, and economic instability affecting states</p> <p>17 in such region;</p> <p>18 (3) assesses the impact and level of Communist</p> <p>19 influence in Oceania;</p> <p>20 (4) analyzes projections for the total economic</p> <p>21 growth of such region, with particular emphasis on the</p> <p>22 exclusive economic zones (EEZ); and</p> <p>23 (5) makes recommendations for specific measures</p> <p>24 necessary to ensure a strong United States presence in</p> <p>25 Oceania that contributes to and strengthens democratic</p> <p>1 institutions and economic growth for the states of such</p> <p>2 region.</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

40

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>3 SEC. 128. SENSE OF CONGRESS CONCERNING CONSULAR OFFI- 4 CERS ASSIGNED TO THE UNITED STATES DIP- 5 LOMATIC MISSION TO THE SOVIET UNION.</p> <p>6 It is the sense of the Congress that the Secretary of 7 State should assign additional consular officers to the United 8 States diplomatic mission to the Soviet Union to assist in the 9 timely and efficient processing of consular services for Soviet 0 citizens seeking to emigrate.</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

42

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>SEC. 129. PROCEDURES REGARDING MAJOR DISASTERS AND INCIDENTS ABROAD AFFECTING UNITED STATES CITIZENS.</p> <p>(a) AMENDMENT TO STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 2269 et seq.) is amended—</p> <p>(1) by redesignating section 42 as section 43; and</p> <p>(2) by adding after section 41 the following new section:</p> <p>"SEC. 42. PROCEDURES REGARDING MAJOR DISASTERS AND INCIDENTS ABROAD AFFECTING UNITED STATES CITIZENS.</p> <p>"In the case of a major disaster or incident abroad which affects the health and safety of citizens of the United States residing or traveling abroad, the Secretary of State shall provide prompt and thorough notification of all appropriate information concerning such disaster or incident and the affect on United States citizens to the next-of-kin of such individuals. Notification shall be provided through the most expeditious means available, including telephone communications, and shall include timely written notice. The Secretary, through the appropriate offices of the Department of State, shall act as a clearinghouse for up-to-date information for the next-of-kin and shall provide other services and assistance. Assistance shall include liaison with foreign governments and</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

43

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>persons and with United States air carriers concerning arrangements for the preparation and transport to the United States of the remains of citizens who die abroad, as well as disposition of personal effects."</p> <p>(b) SECRETARY OF STATE.—</p> <p>(1) The Secretary of State shall enter into discussions with international air carriers and other appropriate entities to develop standardized procedures which will assist the Secretary in implementing the provisions of section 42 of the State Department Basic Authorities Act of 1956 as amended by subsection (a).</p> <p>(2) The Secretary of State shall consider the feasibility of establishing a toll-free telephone number to facilitate inquiries by the next-of-kin in cases of major disasters or incidents abroad which affect the health and safety of citizens of the United States residing or traveling abroad.</p> <p>(c) REPORT TO CONGRESS.—Not more than 180 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a report to the Congress which sets forth plans for the implementation of the amendment made by subsection (a) and the provisions of subsection (b)(1), together with the Secretary's comments concerning the proposal under subsection (b)(2).</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

44

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

23 SEC. 114. ENHANCEMENT OF EVACUATION CAPABILITY.
24 (a) Section 102(b) of the Diplomatic Security Act of
25 1986 (22 U.S.C. 4801(b)) is amended—
1 (1) by striking out "and" at the end of paragraph
2 (4);
3 (2) by redesignating paragraph (5) as paragraph
4 (6);
5 (3) by inserting after paragraph (4) the following
6 new paragraph:
7 "(5) to set forth the responsibility of the Secretary
8 of State with respect to the safe and efficient evacu-
9 ation of United States Government personnel, their de-
10 pendents and private United States citizens when their
11 lives are endangered by war, civil unrest, or natural
12 disaster; and".
13 (b) Section 103 of the Diplomatic Security Act of 1986
14 (22 U.S.C. 4802) is amended—
15 (1) by redesignating paragraphs (b) and (c) as
16 paragraphs (c) and (d) respectively;
17 (2) by inserting after paragraph (a) the following
18 new paragraph:
19 "(b) OVERSEAS EVACUATIONS.—The Secretary of
20 State shall develop and implement policies and programs to
21 provide for the safe and efficient evacuation of United States
22 Government personnel, dependents and private United States

HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
	<p>23 citizens when their lives are endangered. Such policies shall</p> <p>24 include measures to identify high risk areas where evacu-</p> <p>25 ation may be necessary and, where appropriate, providing</p> <p>1 staff to United States Government missions abroad to assist</p> <p>2 in those evacuations. In carrying out these responsibilities,</p> <p>3 the Secretary shall:</p> <p>4 "(1) develop a model contingency plan for evacu-</p> <p>5 ation of personnel, dependents and United States citi-</p> <p>6 zens from foreign countries;</p> <p>7 "(2) develop a mechanism whereby American citi-</p> <p>8 zens can voluntarily request to be placed on a list in</p> <p>9 order to be contacted in the event of an evacuation, or</p> <p>10 which, in the event of an evacuation, can maintain in-</p> <p>11 formation on the location of American citizens in high</p> <p>12 risk areas submitted by their relatives;</p> <p>13 "(3) assess the transportation and communica-</p> <p>14 tions resources in the area being evacuated and deter-</p> <p>15 mine the logistic support needed for the evacuation;</p> <p>16 and</p> <p>17 "(4) develop a plan for coordinating communica-</p> <p>18 tions between embassy staff, Department of State per-</p> <p>19 sonnel and families of United States citizens abroad</p> <p>20 regarding the whereabouts of those citizens."</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(4)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>SEC. 130. REVIEW OF INTERNATIONAL AND BILATERAL COMMISSIONS.</p> <p>Not more than 180 days after the date of the enactment of this Act, the Secretary shall prepare and submit a report which provides a review of United States participation in all international and bilateral commissions to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate. Together with such comments and recommendations as the Secretary considers appropriate, such report shall include—</p> <p>(1) a justification for United States participation in each international or bilateral commission;</p> <p>(2) an assessment of the effectiveness of each international or bilateral commission in which the United States participates; and</p> <p>(3) information concerning the cost of United States participation in each such commission.</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(47)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 131. ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN
4 AFFAIRS.

5 (a) ESTABLISHMENT OF POSITION.—There is estab-
6 lished in the Department of State the position of Assistant
7 Secretary of State for South Asian Affairs, which is in addi-
8 tion to the positions provided under the first section of the
9 Act of May 26, 1949 (22 U.S.C. 2652).

10 (b) APPOINTMENT.—The Assistant Secretary shall be
11 appointed by the President, by and with the advice and con-
12 sent of the Senate.

13 (c) RESPONSIBILITIES.—The Assistant Secretary shall
14 have responsibility within the Department of State with re-
15 spect to India, Pakistan, Bangladesh, Sri Lanka, Nepal,
16 Bhutan, Afghanistan, and Maldives.

17 (d) CONFORMING AMENDMENT.—

18 (1) POSITIONS AT EXECUTIVE LEVEL IV.—Sec-
19 tion 5315 of title 5, United States Code, is amended
20 by adding at the end thereof the following new para-
21 graph:

22 "Assistant Secretary for South Asian Affairs, De-
23 partment of State."

24 (2) EFFECTIVE DATE.—The amendment made by
25 paragraph (1) shall take effect on October 1, 1989.

13 SEC. 124. REPORT ON REORGANIZATION OF THE DEPART-
14 MENT OF STATE.

15 (a) FINDINGS.—The Congress finds that:

16 (1) The Department of State is currently review-
17 ing its organizational structure.

18 (2) Each of the geographical bureaus deals with a
19 large number of countries and often a broad diversity
20 of cultures, nationalities, and ethnic divisions.

21 (3) The territory covered by the Bureau of Near
22 Eastern and South Asian Affairs, for example,
23 stretches from the Atlantic Coast of Morocco to the
24 Bay of Bengal, includes 25 countries, more than a bil-
25 lion people, a number of regional disputes, and several
1 cultural and linguistic divisions. The Bureau of Inter-
2 American Affairs has within its jurisdiction 33 coun-
3 tries, including Mexico, the nations of the Caribbean
4 Basin, and Central and South America.

5 (4) Among the most pressing international issues
6 is the prospect for Global Warming. Over the next few
7 years, American leadership at the international level
8 will be crucial to worldwide efforts to ensure that
9 Global Warming does not occur. The Department of
10 State will need to consider appropriate steps to prepare
11 for the leadership role of the United States.

12 (5) The United States continues to face a foreign
13 intelligence threat, including the danger to United

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

46

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 States diplomatic missions. The Department of State
15 will need to improve its ability to detect and prevent
16 intelligence penetration of United States missions
17 abroad.
18 (b) REPORT.—Not later than December 31, 1989, the
19 Secretary of State shall submit to the Committee on Foreign
20 Relations of the Senate and the Committee on Foreign Af-
21 fairs of the House of Representatives a report assessing the
22 advisability of reorganization of its regional and functional
23 bureaus. The report shall include, but not be limited to, an
24 assessment of the advisability of establishing a Bureau of
25 South Asian Affairs, two bureaus to cover the present re-
sponsibilities of the Bureau of Inter-American Affairs, an
office of Diplomatic Security to be headed by an Under Sec-
retary-level Director of Diplomatic Security, and an Office of
Global Warming within the Bureau of Oceans, International
Environmental and Scientific Affairs. The report shall also
include an assessment of the advisability of transferring the
jurisdictional responsibility for the Organization of American
States from the Bureau of International Organizations to the
Bureau of Inter-American Affairs, and of creating a high-
level coordinator for United States policy toward Mexico.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

49

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>22</p> <p>SEC. 132. SUBMISSION OF ANNUAL COUNTRY REPORTS ON TERRORISM.</p> <p>Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204) is amended by striking "March 31" and inserting "April 30".</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(50)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>SEC. 133. FEES AND REIMBURSEMENTS.</p> <p>The State Department Basic Authorities Act of 1956 is amended—</p> <p>(1) by redesignating section 44 as section 45; and</p> <p>(2) by inserting after section 43 the following new section:</p> <p>"SEC. 44. (a) Notwithstanding any other provision of law, for fiscal years 1990 and 1991 funds received by the Department in connection with the use of Blair House (including fees for use of Blair House facilities and reimbursements and surcharges for services and goods provided) may be credited to the appropriate appropriation account of the Department and shall be available only for maintenance and other expenses of Blair House.</p> <p>(b) The authority of this section may be exercised only to such extent and in such amounts as are provided in advance in appropriation Acts."</p>	<p>4 SEC. 115. FEES AND REIMBURSEMENTS.</p> <p>5 The State Department Basic Authorities Act of 1956,</p> <p>6 as amended by section 111, is further amended—</p> <p>7 (1) by redesignating section 44 as section 45; and</p> <p>8 (2) by inserting after section 43 the following new</p> <p>9 section:</p> <p>10 "SEC. 44. FEES RECEIVED FOR USE OF BLAIR HOUSE.</p> <p>11 "(a) USE OF FEES.—Notwithstanding any other provi-</p> <p>12 sion of law, for fiscal year 1990, funds received by the De-</p> <p>13 partment of State in connection with use of Blair House,</p> <p>14 including reimbursements and surcharges for services and</p> <p>15 goods provided and fees for use of Blair House facilities, may</p> <p>16 be credited to the appropriate appropriation account for the</p> <p>17 Department of State which is currently available. Such re-</p> <p>18 cepts shall be available only for maintenance and other ex-</p> <p>19 penses of Blair House.</p> <p>20 "(b) COMPLIANCE WITH THE BUDGET ACT.—The</p> <p>21 authority of this section may be exercised only to such extent</p> <p>22 or in such amounts as are provided in advance in an appro-</p> <p>23 priation Act."</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(51)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>SEC. 134. INTERNATIONAL CENTER.</p> <p>Section 4 of the International Center Act is amended by inserting after subsection (b) the following new subsection (c):</p> <p>"(c) The Department of State is authorized to require the payment of a fee by other executive agencies of the United States for the lease or use of facilities located at the International Center and used for the purposes of security and maintenance. Any payments received for lease or use of such facilities shall be credited to the account entitled 'International Center, Washington, District of Columbia' and shall be available, to such extent and in such amounts as are provided in advance in appropriations Acts, without fiscal year limitation, for operation and maintenance expenses of such facilities including administration, maintenance, utilities, repairs and alterations."</p>	<p>21 SEC. 117. INTERNATIONAL CENTER.</p> <p>22 Section 4 of the International Center Act is amended by</p> <p>23 adding at the end thereof following new subsection:</p> <p>24 "(c)(1) The Department of State is authorized to charge</p> <p>25 other United States Government agencies for the lease or use</p> <p>1 of facilities located at the International Center and used for</p> <p>2 the purposes of security and maintenance. Any payments re-</p> <p>3 ceived for lease or use of such facilities shall be credited to</p> <p>4 the account entitled 'International Center, Washington, Dis-</p> <p>5 trict of Columbia' and shall be available, without fiscal year</p> <p>6 limitation, to cover the operating expenses of such facilities,</p> <p>7 including administration, maintenance, utilities, repairs, and</p> <p>8 alterations.</p> <p>9 "(2) The authority of paragraph (1) shall be exercised</p> <p>10 only to such extent or in such amounts as are provided in</p> <p>11 advance in an appropriation Act."</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

52

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4 SEC. 125. ESTABLISHMENT OF A LATIN AMERICAN AND CARIB-
5 BEAN DATA BASE.

6 (a) AUTHORIZATION.—Of the funds authorized to be
7 appropriated for fiscal year 1990 by this title, \$1,300,000
8 are authorized to be appropriated to provide continued sup-
9 port for the establishment of a Latin American and Caribbe-
10 an Data Base.

11 (b) CONDITIONS.—In developing the data base de-
12 scribed in subsection (a), the Secretary of State shall be
13 required to satisfy the following conditions:

14 (1) Any agreement for an on-line bibliographic
15 data base entered into for purposes of this section shall
16 continue to be subject to full and open competition or
17 merit review among qualified United States institu-
18 tions with strong Latin American and Caribbean
19 programs.

20 (2) The Secretary of State shall ensure that funds
21 are not awarded to maintain services which are signifi-
22 cantly duplicative of existing services.

(Byrd-Helfer)

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

53

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 SEC. 135. PILOT PROGRAM FOR CHILD CARE FACILITIES AT
14 CERTAIN POSTS ABROAD.

15 Section 31 of the State Department Basic Authorities
16 Act of 1956 is amended by adding after subsection (d) the
17 following new subsection:

18 "(e) For fiscal years 1990 and 1991, the Secretary of
19 State is authorized to assist in the establishment, operation,
20 and maintenance of non-Government operated child care fa-
21 cilities at posts abroad where the Secretary determines that
22 due to extraordinary circumstances such facilities are neces-
23 sary to the efficient operation of the post. Such assistance
24 may include grants and subsidies to such a facility to offset in
25 part the cost of such care. In making a determination that
1 assistance under this subsection is necessary, the Secretary
2 shall consider—

3 "(1) whether Foreign Service spouses are encour-
4 aged to work at the mission because—

5 "(A) the number of members of the mission
6 is subject to a ceiling imposed by the receiving
7 country; or

8 "(B) foreign nationals are not employed at
9 the mission; and

10 "(2) whether local child care is available."

4 SEC. 131. CHILD CARE FACILITIES AT CERTAIN POSTS ABROAD.

5 Section 31 of the State Department Basic Authorities
6 Act of 1956 (22 U.S.C. 2684) is amended by adding at the
7 end thereof the following new subsection:

8 "(e) The Secretary of State may make grants to child
9 care facilities, to offset in part the cost of such care, in
10 Moscow and at no more than five other posts abroad where
11 the Secretary determines that due to extraordinary circum-
12 stances such facilities are necessary to the efficient operation
13 of the post. In making that determination, the Secretary shall
14 take into account factors such as—

15 "(1) whether Foreign Service spouses are encour-
16 aged to work at the post because—

17 "(A) the number of members of the post is
18 subject to a ceiling imposed by the receiving coun-
19 try; and

20 "(B) Foreign Service nationals are not em-
21 ployed at the post; and

22 "(2) whether local child care is available."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

54

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>SEC. 136. VOLUNTARY PILOT PROGRAM FOR INCREASED PARTICIPATION BY ECONOMICALLY AND SOCIALLY DISADVANTAGED ENTERPRISES IN FOREIGN RELATIONS ACTIVITIES.</p> <p>(a) ESTABLISHMENT OF PILOT PROGRAM FOR VOLUNTARY SET-ASIDES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State (in consultation with the Director of the United States Information Agency) shall prepare and transmit a detailed plan for the establishment of a pilot program of voluntary set-asides for increased participation by economically and socially disadvantaged enterprises in programs and activities of the Department of State and the United States Information Agency to the Committee on Foreign Affairs of the House of Repre-</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

53

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
25 1 sentatives and the Committee on Foreign Relations of the 2 Senate. 3 (b) REPORT TO CONGRESS.—Such plan shall include— 4 (1) a description of where such pilot program will 5 be located in each such agency's organizational struc- 6 ture and what relevant lines of authority will be estab- 7 lished; 8 (2) a listing of the specific responsibilities that will 9 be assigned to the pilot program to enable it to in- 10 crease, in a rational and effective manner, participation 11 of economically and socially disadvantaged enterprises 12 in activities funded by such agencies; 13 (3) a detailed design for a time-phase system for 14 bringing about expanded participation by economically 15 and socially disadvantaged enterprises, including— 16 (A) specific recommendations for percentage 17 allocations of contracts, subcontracts, procure- 18 ment, grants, and research and development ac- 19 tivities by such agencies to such enterprises; and 20 (B) particular consideration of the participa- 21 tion of economically and socially disadvantaged 22 enterprises in activities in the areas of communi- 23 cations, telecommunications, and information 24 systems;		

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

26

(4) a proposed reporting system that will permit objective measuring of the degree of participation of economically and socially disadvantaged enterprises in comparison to the total activities funded by such agencies;

(5) a detailed projection of the administrative budgetary impact of the establishment of the pilot program; and

(6) a detailed set of objective criteria upon which determinations will be made as to the qualifications of economically and socially disadvantaged enterprises to receive contracts funded by such agencies.

(c) OBJECTIVES.—The objective of the pilot program shall be to increase the participation of economically and socially disadvantaged business enterprises in contract, procurement, grant, and research and development activities funded by the agencies.

(d) RESPONSIBILITIES.—The pilot program shall—

(1) establish, maintain, and disseminate information to, and otherwise serve as an information clearinghouse for, economically and socially disadvantaged business enterprises regarding business opportunities funded by the agencies;

(2) design and conduct projects to encourage, promote, and assist economically and socially disadvantaged

HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
<p>27</p> <p>tagged business enterprises to secure direct contracts, host country contracts, subcontracts, grants, and research and development contracts in order for such enterprises to participate in programs funded by the Department of State and the United States Information Agency;</p> <p>(3) conduct market research, planning, economic and business analyses, and feasibility studies to identify business opportunities funded by such agencies;</p> <p>(4) develop support mechanisms which will enable socially and economically disadvantaged enterprises to take advantage of business opportunities in programs funded by such agencies; and</p> <p>(5) enter into such contracts (to such extent or in such amounts as are provided in appropriation Acts), cooperative agreements, or other transactions as may be necessary in the conduct of its functions under this section.</p> <p>(e) RESPONSIBILITIES OF THE SECRETARY.—The Secretary of State (after consultation with the Director of the United States Information Agency) shall provide the pilot program with such relevant information, including procurement schedules, bids, and specifications with respect to programs funded by the Department of State and the United States Information Agency, as may be requested by the pilot</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1467 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(58)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>28</p> <p>program in connection with the performance of its functions under this section.</p> <p>(f) DEFINITIONS.—</p> <p>(1) For the purposes of this section the term “economically and socially disadvantaged enterprise” means a business—</p> <p>(A) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or in the case of a publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and</p> <p>(B) whose management and daily business operations are controlled by one or more such individuals.</p> <p>(2) Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.</p> <p>(g) REPORTS TO CONGRESS.—For each of the fiscal years 1990 and 1991, the Secretary of State shall prepare and submit a report concerning the implementation of the pilot program under this section to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(39)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
29 1 SEC. 137. MIDDLE EAST REPORTS. 2 (a) REPORTS CONCERNING COMMITMENTS OF THE 3 PALESTINE LIBERATION ORGANIZATION.— 4 (1) Not more than 30 days after the date of the 5 enactment of this Act, and every 180 days thereafter, 6 the Secretary of State shall prepare and submit to the 7 Congress a report concerning the actions and state- 8 ments of the Palestine Liberation Organization as they 9 relate to the carrying out of the commitments of such 10 organization made in Geneva on December 14, 1988, 11 regarding the renunciation of terrorism and the recog- 12 nition of Israel's right to exist. 13 (2) In addition to any reports under paragraph (1), 14 the Secretary of State shall report to the Congress 15 when there are changes in the procedural or substan- 16 tive status of the dialogue with the Palestine Libera- 17 tion Organization. 18 (3) For the purpose of providing information re- 19 quired by paragraph (1), the term "actions and state- 20 ments by the Palestine Liberation Organization" shall 21 include actions and statements of the chairman, mem- 22 bers of the Executive Committee, the constituent 23 groups comprising the Palestine Liberation Organiza- 24 tion, and the Palestine National Council. 25 (b) REPORT CONCERNING THE ARAB STATES AND		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

60

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>30</p> <p>1 date of the enactment of this Act, the Secretary of State shall</p> <p>2 prepare and submit to the Congress a report concerning the</p> <p>3 policies of Arab states toward the Middle East peace process,</p> <p>4 including progress toward—</p> <p>5 (1) public recognition of Israel's right to exist in</p> <p>6 peace and security;</p> <p>7 (2) ending the Arab economic boycott of Israel;</p> <p>8 and</p> <p>9 (3) ending efforts to expel Israel from internation-</p> <p>10 al organizations or denying participation in the activi-</p> <p>11 ties of such organizations.</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(61)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
12 SEC. 138. DEBT COLLECTION. 13 Title I of the State Department Basic Authorities Act of 14 1956 (22 U.S.C. 2669 et seq.) is amended by redesignating 15 section 45 as section 46 and inserting after section 44 the 16 following: 17 "SEC. 45. DEBT COLLECTION. 18 "(a) CONTRACT AUTHORITY.—(1) Subject to the avail- 19 ability of appropriations, the Secretary of State shall enter 20 into contracts for collection services to recover indebtedness 21 owed by a person, other than a foreign country, to the United 22 States which arises out of activities of the Department of 23 State and is delinquent by more than 90 days. 24 "(2) Each contract entered into under this section shall 25 provide that the person with whom the Secretary enters into 1 such contract shall submit to the Secretary at least once each 2 180 days a status report on the success of the person in col- 3 lecting debts. Section 3718 of title 31, United States Code, 4 shall apply to any such contract to the extent that such sec- 5 tion is not inconsistent with this subsection. 6 "(b) DISCLOSURE OF DELINQUENT DEBT TO CREDIT 7 REPORTING AGENCIES.—The Secretary of State shall, to 8 the extent otherwise allowed by law, disclose to those credit 9 reporting agencies to which the Secretary reports loan activi- 10 ty information concerning any debt of more than \$100 owed 11 by a person, other than a foreign country, to the United 12 States which arises out of activities of the Department of 13 State and is delinquent by more than 31 days."		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(62)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

34

1 SEC. 140. REPORT CONCERNING MEXICO.

2 Not more than 90 days after the date of the enactment
3 of this Act, the Secretary of State shall prepare and submit a
4 report to the Congress concerning the relationship between
5 the United States and Mexico. Such report shall—

6 (1) analyze potential changes in political, cultural,
7 diplomatic, economic, and other factors as the United
8 States and Mexico move toward greater economic inte-
9 gration and cooperation;

10 (2) consider the feasibility and effect of a three-
11 way meeting among Canada, Mexico, and the United
12 States to discuss greater economic integration and co-
13 operation;

14 (3) analyze political, cultural, diplomatic, econom-
15 ic, and other factors related to the development of an
16 economically integrated and cooperative border region
17 between Mexico and the United States; and

18 (4) evaluate the adequacy of the resources of the
19 Department of State which currently address relations
20 between the United States and Mexico, including a
21 projection of future needs to handle the increasing
22 work load requirements resulting from the growing
23 flow of goods, services, and people across the United
24 States-Mexican border.

12 SEC. 1007. REPORT CONCERNING MEXICO.

13 Not more than 90 days after the date of enactment of
14 this Act, the Secretary of State and the United States Trade
15 Representative shall prepare and submit to the Congress a
16 report concerning the relationship between the United States
17 and Mexico. Such report shall—

18 (1) analyze potential changes in political, cultur-
19 al, diplomatic, economic, and other factors as the
20 United States and Mexico move toward greater eco-
21 nomic integration and cooperation;

22 (2) consider the feasibility and effect of a three-
23 way meeting among Canada, Mexico, and the United
24 States to discuss greater economic integration and
25 cooperation;

1 (3) analyze political, cultural, diplomatic, econom-
2 ic, and other factors related to the development of an
3 economically-integrated and cooperative border region
4 between Mexico and the United States; and

5 (4) evaluate the adequacy of the resources of agen-
6 cies which currently address relations between the
7 United States and Mexico, including a projection of
8 future needs to handle the increasing work load re-
9 quirements resulting from the growing flow of goods,
10 services, and people across the United States-Mexican
11 border.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

63

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

35
1 PART C—DIPLOMATIC RECIPROCITY AND
2 SECURITY
3 SEC. 141. UNITED STATES-SOVIET RECIPROCITY IN MATTERS
4 RELATING TO EMBASSIES.
5 (a) WAIVER OF RESTRICTION REGARDING SOVIET
6 CONSULATES IN THE UNITED STATES.—Section 153 of the
7 Foreign Relations Authorization Act, Fiscal Years 1988 and
8 1989 (Public Law 100-204) is amended in subsection (b)—
9 (A) by inserting "(1)" before "The Secre-
10 tary"; and
11 (B) by adding after paragraph (1) (as so des-
12 ignated by subparagraph (A)) the following new
13 paragraph:
14 "(2) Paragraph (1) shall not have effect during the fiscal
15 years 1990 and 1991."
16 (b) REPORTS TO CONGRESS.—Not later than January
17 30, 1991, the Secretary of State shall develop and submit to
18 the Congress a plan for secure permanent facilities for the
19 United States mission in Kiev, together with a budget re-
20 quest to implement such plan.

6 PART C—DIPLOMATIC IMMUNITY, RECIPROCITY,
7 AND SECURITY
20 SEC. 132. UNITED STATES-SOVIET RECIPROCITY IN MATTERS
21 RELATING TO EMBASSIES.
22 Section 153(b) of Foreign Relations Authorization Act,
23 Fiscal Years 1988 and 1989 (Public Law 100-204) is
24 amended by striking out "until the United States mission in
25 Kiev is able to occupy secure permanent facilities" and in-
1 serting in lieu thereof "except on the basis of reciprocity as to
2 the establishment by the United States of a consulate in
3 Kiev".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(64)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 SEC. 151. UNITED STATES-SOVIET EMBASSY AGREEMENT.

11 Section 151 of the Foreign Relations Authorization Act,
12 Fiscal Years 1988 and 1989 (Public Law 100-204), is
13 amended to read as follows:

14 "SEC. 151. UNITED STATES-SOVIET EMBASSY AGREEMENT.

15 "(a) RESTRICTION.—The Soviet Union shall not be
16 permitted to occupy the new chancery building on Mount
17 Alto in Washington, District of Columbia, unless and until
18 the President certifies in writing to the Speaker of the House
19 of Representatives and the chairman of the Committee on
20 Foreign Relations of the Senate that—

21 "(1) there is completed a new chancery building
22 for use by the United States Embassy in Moscow
23 which can be safely and securely used for its intended
24 purpose; and

25 "(2) all feasible steps have or will be taken to
26 eliminate the damage to the national security of the
1 United States due to electronic surveillance from
2 Soviet facilities on Mount Alto.

3 "(b) CERTIFICATION DESCRIBED.—Not later than six
4 months after the date of enactment of this section, the Presi-
5 dent shall terminate the Agreement Between the Govern-
6 ment of the United States and the Government of the Union
7 of Soviet Socialist Republics on the Reciprocal Allocation for
8 Use Free of Charge of Plots of Land in Moscow and Wash-
9 ington (signed at Moscow, May 16, 1969), and related agree-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 [ments, notes, and understandings unless he certifies to the
11 Speaker of the House of Representatives and the chairman of
12 the Committee on Foreign Relations of the Senate that the
13 Soviet use of the facility on Mount Alto does not pose a sig-
14 nificantly greater threat to the national security of the United
15 States than the potential or actual threat from Soviet use for
16 espionage of existing Soviet facilities in Washington, District
17 of Columbia.
18 "(c) WAIVER.—The President may waive subsection (b)
19 if he determines that it is in the vital national security inter-
20 est of the United States to do so and reports in writing to the
21 Speaker of the House of Representatives and the chairman of
22 the Committee on Foreign Relations of the Senate, together
23 with a detailed explanation, in suitably classified form, of the
24 reasons for making this waiver."

AMENDMENT NO. 355
(Purpose: To strike the provision of the bill
concerning Moscow Embassy, thereby
maintaining current law)
Mr. HELMS. Mr. President, I call up
amendment No. 355, which is at the
desk.
The PRESIDING OFFICER. The
clerk will report.
The bill clerk read as follows:
The Senator from North Carolina (Mr.
HELMS) proposed amendment No. 355.
On page 31, strike line 10 through line 24
on page 32.

(Rollcall Vote No. 138 Leg.)

YEAS—56

Adams	Orin	McConnell
Easton	Glen	Mohr
Band	Cole	Murkowski
Boren	Graham	Nichols
Bradley	Grassley	Nunn
Brent	Harkin	Presler
Bryce	Helms	Roth
Burdick	Hollings	Roth
Burns	Rosen	Rudman
Casper	Schmitt	Shelby
Coburn	Strom	Simpson
Coleman	Strom	Specter
Cotton	Strom	Thurmond
Craig	Strom	Walters
Culver	Strom	Wilson
Danforth	Strom	
Dole	Strom	
Domenici	Strom	
Dunne	Strom	
Easton	Strom	
Feinstein	Strom	
Ford	Strom	
Gale	Strom	
Graham	Strom	
Grassley	Strom	
Hammer	Strom	
Harkin	Strom	
Hatch	Strom	
Heflin	Strom	
Helms	Strom	
Hollings	Strom	
Howard	Strom	
Inoué	Strom	
Jones	Strom	
Kennedy	Strom	
Kerry	Strom	
Leahy	Strom	
Lincoln	Strom	
Lugar	Strom	
McCain	Strom	
McClure	Strom	
McConnell	Strom	
Mohr	Strom	
Murkowski	Strom	
Nichols	Strom	
Nunn	Strom	
Presler	Strom	
Roth	Strom	
Rudman	Strom	
Shelby	Strom	
Simpson	Strom	
Specter	Strom	
Thurmond	Strom	
Walters	Strom	
Wilson	Strom	

NAYS—42

Adams	Orin	McConnell
Easton	Glen	Mohr
Band	Cole	Murkowski
Boren	Graham	Nichols
Bradley	Grassley	Nunn
Brent	Harkin	Presler
Bryce	Helms	Roth
Burdick	Hollings	Roth
Burns	Rosen	Rudman
Casper	Schmitt	Shelby
Coburn	Strom	Simpson
Cotton	Strom	Specter
Craig	Strom	Thurmond
Culver	Strom	Walters
Danforth	Strom	Wilson
Dole	Strom	
Domenici	Strom	
Dunne	Strom	
Easton	Strom	
Feinstein	Strom	
Ford	Strom	
Gale	Strom	
Graham	Strom	
Grassley	Strom	
Hammer	Strom	
Harkin	Strom	
Hatch	Strom	
Heflin	Strom	
Helms	Strom	
Hollings	Strom	
Howard	Strom	
Inoué	Strom	
Jones	Strom	
Kennedy	Strom	
Kerry	Strom	
Leahy	Strom	
Lincoln	Strom	
Lugar	Strom	
McCain	Strom	
McClure	Strom	
McConnell	Strom	
Mohr	Strom	
Murkowski	Strom	
Nichols	Strom	
Nunn	Strom	
Presler	Strom	
Roth	Strom	
Rudman	Strom	
Shelby	Strom	
Simpson	Strom	
Specter	Strom	
Thurmond	Strom	
Walters	Strom	
Wilson	Strom	

NOT VOTING—2

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7/20/87

Agreed -
56-42

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

66

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
21 SEC. 142. CONSTRUCTION OF UNITED STATES EMBASSY IN 22 OTTAWA. 23 Section 402(a) of the Diplomatic Security Act (22 24 U.S.C. 4852(a)) shall not apply to the construction or ren- 25 ovation of the United States embassy in Ottawa, Canada.	8 SEC. 111. CONSTRUCTION OF UNITED STATES EMBASSY IN 9 OTTAWA. 10 Section 402(a) of the Diplomatic Security Act (22 11 U.S.C. 4852(a)) shall not apply to the construction or ren- 12 ovation of the United States Embassy in Ottawa, Canada.	

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

36

1 SEC. 141. CONSTRUCTION SECURITY CERTIFICATION.

2 (a) CONSTRUCTION SECURITY CERTIFICATION.—Sec-
3 tion 160(a) of the Foreign Relations Authorization Act,
4 Fiscal Years 1988 and 1989 (Public Law 100-204) is
5 amended—

6 (1) by inserting "or approving occupancy of a
7 similar facility for which construction or major renova-
8 tion commenced prior to the effective date of this sec-
9 tion," after "activities,";

10 (2) at the end of paragraph (1) by striking "and";

11 (3) at the end of paragraph (2) by striking the
12 period and inserting "; and"; and

13 (4) by inserting after paragraph (2) the following
14 new paragraph (3):

15 "(3) a plan has been put into place for the contin-
16 ued evaluation and maintenance of adequate security at
17 such facility, which plan shall specify the physical se-
18 curity methods and technical countermeasures neces-
19 sary to ensure secure operations, including any person-
20 nel requirements for such purposes."

21 (b) EFFECTIVE DATE.—The amendments made by sub-
22 section (a) shall take effect on the date of the enactment of
23 this Act.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(68)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

37
SEC. 144. MODIFICATION OF PREFERENCE FOR UNITED STATES CONTRACTORS IN DIPLOMATIC CONSTRUCTION PROGRAM.
(a) MODIFICATION OF PREFERENCE.—Section 402(a) of the Diplomatic Security Act (22 U.S.C. 4852) is amended in paragraph (2) to read as follows:
“(2) bid on a diplomatic construction or design project which involves physical or technical security, unless the project—
“(A) involves nonsophisticated, low-level technology, as determined by the Assistant Secretary for Diplomatic Security;
“(B) is for the design or construction of a facility that does not process or store classified material; and
“(C) does not exceed a total value of \$500,000.”.
(b) REPORT TO CONGRESS.—The Secretary of State shall prepare and submit to the Congress an annual report concerning the implementation of the amendment made by subsection (a) of this section.

8 SEC. 144. DIPLOMATIC CONSTRUCTION PROGRAM.
9 Section 402(a)(2) of the Omnibus Diplomatic Security
10 and Antiterrorism Act of 1986 (Public Law 99-399) is
11 amended to read as follows:
12 “(2) bid on a diplomatic construction or design
13 project which involves physical or technical security,
14 unless—
15 “(A) the project is for the design or construction
16 of a facility of the United States Information
17 Agency that does not process or store classified
18 material; and
19 “(B) the total value of the project does not
20 exceed \$500,000.”.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

69

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 131. EXCLUSION OF ALIENS PREVIOUSLY INVOLVED IN A
4 SERIOUS CRIMINAL OFFENSE COMMITTED IN
5 THE UNITED STATES.

6 (a) GROUNDS OF EXCLUSION.—Section 212(a) of the
7 Immigration and Nationality Act (8 U.S.C. 1182(a)) is
8 amended—

9 (1) by striking the period at the end of paragraph
10 (33) and inserting in lieu thereof “; and”; and

11 (2) by adding after paragraph (33) the following
12 new paragraph:

13 “(34)(A) Any alien who has committed in the
14 United States any serious criminal offense, as defined
15 in subparagraph (B), for whom immunity from crimi-
16 nal jurisdiction was exercised with respect to that of-
17 fense, who as a consequence of the offense and the ex-
18 ercise of immunity has departed the United States,
19 and who has not subsequently submitted fully to the
20 jurisdiction of the United States with respect to that
21 offense;

22 “(B) For purposes of this paragraph, the term ‘se-
23 rious criminal offense’ means—

24 “(i) any felony;

25 “(ii) any crime of violence, as defined in sec-
26 tion 16 of title 18 of the United States Code; or

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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(70)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 SEC. 145. REPORT CONCERNING COMPENSATION AND DIPLO-
23 MATIC IMMUNITY.

24 (a) REPORT TO CONGRESS.—The Secretary of State
25 shall prepare and submit a report to the Congress which con-
26 siders the need and feasibility of establishing a program
1 which makes compensation awards to citizens and permanent
2 residents of the United States for physical injury or financial
3 loss which is the result of criminal activity reasonably be-
4 lieved to have been committed by individuals with immunity
5 from criminal jurisdiction as a result of international obliga-
6 tions of the United States arising from multilateral agree-
7 ments, bilateral agreements, or international law.

8 (b) CONTENTS OF REPORT.—Together with such other
9 information as the Secretary considers appropriate, the report
10 shall include—

11 (1) a plan and feasibility analysis for the establish-
12 ment of such a program, including—

13 (A) specific recommendations for funding, ad-
14 ministration, and procedures and standards for
5 compensation and payment of awards; and

10 (b) WITHHOLDING DEPORTATION.—Section 212(h) of
11 the Immigration and Nationality Act (8 U.S.C. 1182(h)) is
12 amended by striking “or (12)” and inserting in lieu there-
13 of “, (12) or (34)”.

14 (c) REPORT CONCERNING COMPENSATION AND DIP-
15 LOMATIC IMMUNITY.—(1) The Secretary of State shall pre-
16 pare and submit a report to the Congress which considers the
17 need and feasibility of establishing a program which makes
18 compensation awards to United States citizens and perma-
19 nent resident aliens in the United States for physical injury or
20 financial loss which is the result of criminal activity reason-
21 ably believed to have been committed by individuals with im-
22 munity from criminal jurisdiction as a result of international
23 obligations of the United States arising from multilateral
24 agreements, bilateral agreements, or international law.

1 (2) Together with such other information as the Secre-
2 tary considers appropriate, the report shall include—

3 (A) a plan and feasibility analysis for the estab-
4 lishment of such a program, including—

5 (i) specific recommendations for funding, ad-
6 ministration, and procedures and standards for
7 compensation and payment of awards; and

8 (ii) particular consideration of the feasibility
9 of an appeals mechanism;

10 (B) an assessment of—

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(11)

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>6 (B) particular consideration of the feasibility 7 of an appeals mechanism; 8 (2) an assessment of the feasibility of establishing 9 a fund, the availability of existing accounts, or other 10 sources of funding for the program; and 11 (3) consideration of other possible mechanisms for 12 compensation or reimbursement, including direct com- 13 pensation by the individual with immunity from crimi- 14 nal jurisdiction or by the sending country of that indi- 15 vidual. 16 (c) SUBMISSION OF REPORT.—Not more than 180 days 17 after the date of the enactment of this Act, the Secretary of 18 State shall submit the report to the appropriate committees of 19 the Congress.</p>	<p>11 (i) the feasibility of establishing a fund, 12 (ii) the availability of existing accounts, or 13 (iii) other sources of funding for the program; 14 and 15 (C) consideration of other possible mechanisms for 16 compensation or reimbursement, including direct com- 17 pensation by the individual with immunity from crimi- 18 nal jurisdiction or by the sending country of that 19 individual. 20 (3) Not more than 180 days after the date of the enact- 21 ment of this Act, the Secretary of State shall submit the 22 report referred to in paragraph (1) to the appropriate commit- 23 tees of the Congress.</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

72

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
5 SEC. 146. INCREASED PARTICIPATION OF UNITED STATES 6 CONTRACTORS IN LOCAL GUARD CONTRACTS 7 ABROAD UNDER THE DIPLOMATIC SECURITY 8 PROGRAM. 9 (a) FINDINGS.—The Congress makes the following find- 10 ings: 11 (1) State Department policy concerning the adver- 12 tising of security contracts at foreign service buildings 13 has been inconsistent over the years. In many cases, 14 diplomatic and consular posts abroad have been given 15 the responsibility to determine the manner in which the 16 private sector was notified concerning an invitation for 17 bids or request for proposals with respect to a local 18 guard contract. Some United States foreign missions 19 have only chosen to advertise locally the availability of 20 a local security guard contract abroad. 21 (2) As a result, many United States security firms 22 that provide local guard services abroad have been un- 23 aware that local guard contracts were available for bid- 24 ding abroad and such firms have been disadvantaged as 25 a result.		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

23

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p data-bbox="261 1304 280 1323">40</p> <p data-bbox="121 1329 472 1436">(3) Undoubtedly, United States security firms would be interested in bidding on more local guard contracts abroad if such firms knew of the opportunity to bid on such contracts.</p> <p data-bbox="94 1444 472 1585">(b) OBJECTIVE.—It is the objective of this section to improve the efficiency of the local guard programs abroad administered by the Bureau of Diplomatic Security and to ensure maximum competition for local guard contracts abroad concerning foreign service buildings.</p> <p data-bbox="94 1591 472 1732">(c) PARTICIPATION OF UNITED STATES CONTRACTORS IN LOCAL GUARD CONTRACTS ABROAD.—With respect to local guard contracts for a foreign service building which exceed \$250,000 and are entered into after September 1, 1989, the Secretary of State shall—</p> <p data-bbox="110 1738 464 1818">(1) establish procedures to ensure that all solicitations for such contracts are adequately advertised in the Commerce and Business Daily;</p> <p data-bbox="105 1824 464 1997">(2) establish procedures to ensure that appropriate measures are taken by diplomatic and consular post management to assure that United States persons and qualified United States joint venture persons are not disadvantaged during the solicitation and bid evaluation process due to their distance from the post; and</p> <p data-bbox="105 2003 464 2058">(3) give preference to United States persons and qualified United States joint venture persons where</p>		

HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
<p data-bbox="297 1262 313 1276">41</p> <p data-bbox="159 1289 509 1398">such persons are price competitive to the non-United States persons bidding on the contract, are properly licensed by the host government, and are otherwise qualified to carry out all the terms of the contract.</p> <p data-bbox="159 1409 509 1428">(d) DEFINITIONS.—For the purposes of this section—</p> <p data-bbox="159 1438 509 1482">(1) the term "United States person" means a person which—</p> <p data-bbox="185 1495 509 1575">(A) is incorporated or legally organized under the laws of the United States, including the laws of any State, locality, or the District of Columbia;</p> <p data-bbox="185 1585 509 1629">(B) has its principal place of business in the United States;</p> <p data-bbox="185 1642 509 1778">(C) has been incorporated or legally organized in the United States for more than 2 years before the issuance date of the invitation for bids or request for proposals with respect to the contract under subsection (c);</p> <p data-bbox="185 1789 509 1866">(D) has performed within the United States and overseas security services similar in complexity to the contract being bid;</p> <p data-bbox="185 1879 509 2011">(E) with respect to the contract under subsection (c), has achieved a total business volume equal to or greater than the value of the project being bid in 3 years of the 5-year period before the date specified in subparagraph (C);</p>		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

25

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
<p>42</p> <p>(F)(i) employs United States citizens in at least 80 percent of its principal management positions in the United States; and</p> <p>(ii) employs United States citizens in more than half of its permanent, full-time positions in the United States; and</p> <p>(G) has the existing technical and financial resources in the United States to perform the contract;</p> <p>(2) the term "qualified United States joint venture person" means a joint venture in which a United States person or persons owns at least 51 percent of the assets of the joint venture; and</p> <p>(3) the term "foreign service building" means any building or grounds of the United States which is in a foreign country and is under the jurisdiction and control of the Secretary of State including residences of United States personnel assigned overseas under the authority of the Ambassador.</p> <p>(e) AMERICAN MINORITY CONTRACTORS.—Not less than 10 percent of the amount of funds obligated for local guard contracts for foreign service buildings subject to sub-section (c) shall be allocated to the extent practicable for contracts with American minority small business contractors.</p>		

LINE-BY-LINE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

43

(f) AMERICAN SMALL BUSINESS CONTRACTORS.—Not less than 10 percent of the amount of funds obligated for local guard contracts for foreign service buildings subject to subsection (c) shall be allocated to the extent practicable for contracts with American small business contractors.

(g) LIMITATION OF SUBCONTRACTING.—With respect to local guard contracts subject to subsection (c), a prime contractor may not subcontract more than 50 percent of the total value of its contract for that project.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

⑦

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 134. STATE DEPARTMENT CONTRACTOR EXEMPTION TO
2 POLYGRAPH PROTECTION ACT.
3 Section 7 of the Employee Polygraph Protection Act of
4 1988 (Public Law 100-347) is amended by—
5 (1) redesignating subsections (d), (e), and (f), as
6 subsections (e), (f), and (g); and
7 (2) adding after subsection (c) the following new
8 subsection:
9 "(d) DEPARTMENT OF STATE CONTRACTORS EXEMP-
10 TION.—Nothing in this Act shall be construed to prohibit the
11 administration, by the Department of State, in the perform-
12 ance of any counterintelligence function, of any lie detector
13 test, administered under regulations implementing the De-
14 partment's polygraph program, to any individual under con-
15 tract to the Department of State or any employee of a con-
16 tractor or subcontractor of the Department of State, who is
17 engaged in the performance of any work under that contract
18 or subcontract."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

78

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

19 SEC. 115. USE OF CLEARED PERSONNEL TO ENSURE SECURE
20 MAINTENANCE AND REPAIR OF DIPLOMATIC FA-
21 CILITIES ABROAD.

22 (a) IN GENERAL.—Title IV of the Omnibus Diplomat-
23 ic Security and Antiterrorism Act of 1986 is amended by
24 adding at the end thereof the following new section:

1 "SEC. 115. USE OF CLEARED PERSONNEL TO ENSURE SECURE
2 MAINTENANCE AND REPAIR OF DIPLOMATIC FA-
3 CILITIES ABROAD.

4 "(a) POLICIES AND REGULATIONS.—The Secretary of
5 State shall develop and implement policies and regulations to
6 provide for the use of persons who have been granted an ap-
7 propriate United States security clearance to ensure that the
8 security of areas intended for the storage of classified materi-
9 als or the conduct of classified activities in a United States
10 diplomatic mission or consular post abroad is not compro-
11 mised in the performance of maintenance and repair services
12 in those areas.

13 "(b) STUDY AND REPORT.—The Secretary of State
14 shall conduct a study of the feasibility and necessity of re-
15 quiring that, in the case of certain United States diplomatic
16 facilities abroad, no contractor shall be hired to perform
17 maintenance or repair services in an area intended for the
18 storage of classified materials or the conduct of classified ac-
19 tivities unless such contractor has been granted an appropri-
20 ate United States security clearance. Such study shall in-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(19)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 clude but is not limited to United States facilities located in
22 Cairo, New Delhi, Riyadh, and Tokyo. Not later than 180
23 days after the date of the enactment of this section, the Secre-
24 tary of State shall report the results of such a study to the
25 Committee on Foreign Relations of the Senate and the Com-
26 mittee on Foreign Affairs of the House."

1 (b) CONFORMING AMENDMENT TO TABLE OF CON-
2 TENTS.—The table of contents for the Omnibus Diplomatic
3 Security and Antiterrorism Act of 1986 is amended by in-
4 serting after the item relating to section 414 the following
5 new item:

"Sec. 415. Use of cleared personnel to ensure secure maintenance and repair of dip-
lomatic facilities abroad."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 144. VISITING SCHOLARS PROGRAM FOR THE FOREIGN
2 SERVICE INSTITUTE.

3 (a) IN GENERAL.—Chapter 7 of title I of the Foreign
4 Service Act of 1980 is amended by adding at the end thereof
5 the following new section:

6 "SEC. 707. VISITING SCHOLARS PROGRAM.—

7 "(a) ESTABLISHMENT OF PROGRAM.—There is au-
8 thorized to be established at the Foreign Service Institute a
9 program whereby selected scholars would participate fully in
10 the educational and training activities of the Institute. This
11 program may be referred to as the 'Visiting Scholars
12 Program'.

13 "(b) SELECTION AND APPOINTMENT OF SCHOL-
14 ARS.—

15 "(1) Scholars participating in the Visiting Schol-
16 ar Program shall be selected by a five-member board
17 described in subsection (c).

18 "(2) Each visiting scholar shall serve a term of
19 one year, except that such term may be extended for
20 one additional one-year period.

21 "(c) ESTABLISHMENT OF SELECTION BOARD.—The
22 board described in subsection (b) shall be composed of the
23 Director of the Foreign Service Institute, who shall serve as
24 Chairman, and four other members appointed by the Secre-
25 tary of State."

1 (b) AMENDMENT TO TABLE OF CONTENTS.—The table
2 of contents of the Foreign Service Act of 1980 is amended by
3 inserting after the item relating to section 706, the following
4 new item:

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

81

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 **PART D—PERSONNEL MATTERS**

11 **SEC. 161. FORMER SPOUSES OF USIA AND AID EMPLOYEES.**

12 (a) **RETIREMENT BENEFITS FOR CERTAIN FORMER**

13 **SPOUSES.**—Section 830 of the Foreign Service Act of 1980

14 (22 U.S.C. 4069a) (relating to retirement benefits for certain

15 former spouses) is amended by adding at the end the follow-

16 ing new subsection:

17 "(f) Any individual who on February 14, 1981, was an

18 otherwise qualified former spouse pursuant to this section,

19 but who was married to a former Foreign Service employee

20 of the United States Information Agency or of the Agency

21 for International Development shall be entitled to benefits

22 under this section if—

23 "(1) the former employee retired from the Civil

24 Service Retirement and Disability System on a date

25 before his employing agency could legally participate in

1 the Foreign Service Retirement and Disability System;

2 and

3 "(2) the marriage included at least five years

4 during which the employee was assigned overseas."

5 (b) **SURVIVOR BENEFITS FOR CERTAIN FORMER**

6 **SPOUSES.**—Section 831 of the Foreign Service Act of 1980

7 (22 U.S.C. 4069b) (relating to survivor benefits for certain

8 former spouses) is amended by adding at the end the follow-

9 ing new subsection:

1 **SEC. 146. FORMER SPOUSES OF UNITED STATES INFORMATION**

2 **AGENCY AND AGENCY FOR INTERNATIONAL DE-**

3 **VELOPMENT EMPLOYEES.**

4 (a) **RETIREMENT BENEFITS FOR CERTAIN FORMER**

5 **SPOUSES.**—Section 830 of the Foreign Service Act of 1980

6 (22 U.S.C. 4069a) is amended by adding at the end the

7 following new subsection:

8 "(f) Any individual who on February 14, 1981, was an

9 otherwise qualified former spouse pursuant to this section,

10 but who was married to a former Foreign Service employee

11 of the United States Information Agency or of the Agency for

12 International Development, shall be entitled to benefits under

13 this section subject to the availability of appropriations if—

14 "(1) the former employee retired from the Civil

15 Service Retirement and Disability System on a date

16 before his employing agency could legally participate

17 in the Foreign Service Retirement and Disability

18 System; and

19 "(2) the marriage included at least five years

20 during which the employee was assigned overseas."

21 (b) **SURVIVOR BENEFITS FOR CERTAIN FORMER**

22 **SPOUSES.**—Section 831 of the Foreign Service Act of 1980

23 (22 U.S.C. 4069b) is amended by adding at the end the

24 following new subsection:

25 "(g) Any individual who on February 14, 1981, was an

26 otherwise qualified former spouse pursuant to this section,

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

82

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 "(g) Any individual who on February 14, 1981, was an
11 otherwise qualified former spouse pursuant to this section,
12 but who was married to a former Foreign Service employee
13 of the United States Information Agency or of the Agency
14 for International Development shall be entitled to benefits
15 under this section if—

16 "(1) the former employee retired from the Civil
17 Service Retirement and Disability System on a date
18 before his employing agency could legally participate in
19 the Foreign Service Retirement and Disability System;
20 and

21 "(2) the marriage included at least five years
22 during which the employee was assigned overseas."

23 (c) HEALTH BENEFITS FOR CERTAIN FORMER
24 SPOUSES.—Section 832 of the Foreign Service Act of 1980
25 (22 U.S.C. 4069c) (relating to health benefits for certain
1 former spouses) is amended by adding at the end the follow-
2 ing new subsection:

3 "(f) Any individual who on February 14, 1981, was an
4 otherwise qualified former spouse pursuant to subsections (a),
5 (b), and (c) of this section, but who was married to a former
6 Foreign Service employee of the United States Information
7 Agency or of the Agency for International Development shall
8 be entitled to benefits under this section if—

1 but who was married to a former Foreign Service employee
2 of the United States Information Agency or of the Agency of
3 International Development, shall be entitled to benefits under
4 this section subject to the availability of appropriations if—

5 "(1) the former employee retired from the Civil
6 Service Retirement and Disability System on a date
7 before his employing agency could legally participate
8 in the Foreign Service Retirement and Disability
9 System; and

10 "(2) the marriage included at least five years
11 during which the employee was assigned overseas."

12 (c) HEALTH BENEFITS FOR CERTAIN FORMER
13 SPOUSES.—Section 832 of the Foreign Service Act of 1980
14 (22 U.S.C. 4069c) is amended by adding at the end the fol-
15 lowing new subsection:

16 "(f) Any individual who on February 14, 1981, was an
17 otherwise qualified former spouse pursuant to subsections (a),
18 (b), and (c) of this section, but who was married to a former
19 Foreign Service employee of the United States Information
20 Agency or of the Agency for International Development, shall
21 be entitled to benefits under this section subject to the avail-
22 ability of appropriations if—

23 "(1) the former employee retired from the Civil
24 Service Retirement and Disability System on a date
25 before his employing agency could legally participate

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

83

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 “(1) the former employee retired from the Civil
10 Service Retirement and Disability System on a date
11 before his employing agency could legally participate in
12 the Foreign Service Retirement and Disability System;
13 and
14 “(2) the marriage included at least five years
15 during which the employee was assigned overseas.”.

1 *in the Foreign Service Retirement and Disability*
2 *System; and*
3 “(2) the marriage included at least five years
4 *during which the employee was assigned overseas.”.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

61

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 SEC. 152. FOREIGN SERVICE INTERNSHIP PROGRAM.
17 (a) FINDINGS.—The Congress makes the following find-
18 ings:
19 (1) On September 3, 1986, George Shultz, as
20 Secretary of State, issued a statement containing 32
21 directives concerning equal opportunity in the Foreign
22 Service. In his statement Secretary Shultz affirmed
23 that it was of "fundamental importance that the For-
24 eign Service truly represent the cultural and ethnic di-
25 versity of our own society", and indicated that the lack

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

HOUSE

46

of such balanced representation was "a foreign policy problem which affects our image as a nation and as a leader of the free world". Secretary Shultz stated "that representation of women and minorities in the Foreign Service is still unacceptably low" and declared that he was "particularly concerned at the small number of Blacks in the Senior Foreign Service".

(2) The Secretary approved 32 recommendations included with the statement regarding recruitment, assignments, performance evaluations, and equal employment opportunity procedures within the Foreign Service. The recommendations of Secretary of State Shultz included—

(A) the targeting of historically African American colleges and universities for special recruitment efforts, including specific information on how to apply for the Foreign Service examination, the testing process, and the mechanics of entry;

(B) independent review of the written exam for any cultural bias against African Americans;

(C) the inclusion of more African Americans on the board of examiners panels;

(D) investigation of methods to increase Afri-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

47

which might improve an applicant's chances of passing the written exam;

(E) development of new recruitment strategies;

(F) the assignment of more African American officers to senior (and visible) role model positions; and

(G) the recruitment of more African American officers into the political and economic cones of the Foreign Service.

(3) During the past 7 years, equal opportunity programs to attract women and minorities to the Foreign Service have been most successful in recruiting women and Asian Americans. Such programs have been less than successful in the recruitment of African Americans, Hispanics, and Native Americans. In 1982, 188 new recruits were appointed to the Foreign Service, 48 were minority appointments constituting 26 percent. In 1985 the number of new appointments had increased 33 percent to 281, but minorities comprised only 10.3 percent of such appointments, a total of 29.

(4) For African Americans and Hispanics the trend of hiring in the Foreign Service is disconcerting. Nineteen African Americans were appointed to the Foreign Service in 1983, in 1987 only 10 African

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

87

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

48

1 Americans were appointed. Hispanic appointments
 2 ranged from 12 in 1983 to 8 in 1985 to 15 in 1987.
 3 For Native Americans the Foreign Service statistics
 4 are ominous, 5 appointments in 1983, 1 in 1984, and
 5 no appointments in 1985, 1986, or 1987.

6 (5) The severe underrepresentation in the Foreign
 7 Service of individuals from certain cultural and ethnic
 8 groups is in large part due to the small pool of appli-
 9 cants from such groups. In each year from 1982
 10 through 1987, minority applicants represented 14 to
 11 17 percent of the total applicants and only 50 percent
 12 of such applicants took the written exam. In 1987,
 13 1,769 minority applicants took the written exam, 191
 14 passed, and 36 were actually appointed to the Foreign
 15 Service.

16 (6) The absolute and relative decline in the ap-
 17 pointment to the Foreign Service of certain minorities
 18 who reflect the cultural and ethnic diversity of the
 19 United States dictates that more aggressive equal op-
 20 portunity programs be established to facilitate the re-
 21 cruitment and appointment of such individuals.

22 (b) ESTABLISHMENT.—Title I of the Foreign Service
 23 Act of 1980 is amended by adding at the end the following
 24 new chapter:

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

88

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

49

1 "CHAPTER 12—FOREIGN SERVICE INTERNSHIP PROGRAM

2 "SEC. 1201. STATEMENT OF POLICY; OBJECTIVES.

3 "(a) STATEMENT OF POLICY.—Consistent with the
4 findings of section 101, the Foreign Service of the United
5 States should be representative of the American people. In
6 order to facilitate and encourage the entry into the Foreign
7 Service of individuals who meet the rigorous requirements of
8 the Service, while ensuring a Foreign Service system which
9 reflects the cultural and ethnic diversity of the United States,
10 intensive recruitment efforts are mandated. This is particular-
11 ly true for Native Americans, African Americans, and His-
12 panics where other affirmative action and equal opportunity
13 efforts have not been successful in attracting the ablest appli-
14 cants for entry into the Foreign Service. The United States
15 remains committed to equal opportunity and to a Foreign
16 Service system operated on the basis of merit principles.

17 "(b) OBJECTIVES.—The objective of this chapter is to
18 strengthen and improve the Foreign Service of the United
19 States through the establishment of a Foreign Service In-
20 ternship Program. The program shall promote the Foreign
21 Service as a viable and rewarding career opportunity for
22 qualified individuals who reflect the cultural and ethnic diver-
23 sity of the United States through a highly-selective internship
24 program for students enrolled in institutions of higher educa-
25 tion.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

89

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

50

1 "SEC. 1202. FOREIGN SERVICE INTERNSHIP PROGRAM.

2 "(a) ESTABLISHMENT.—In consultation with the heads
3 of other agencies utilizing the Foreign Service system, the
4 Secretary of State shall establish a Foreign Service intern-
5 ship program to carry out the objectives of this chapter in
6 accordance with the provisions of this chapter.

7 "(b) FOREIGN SERVICE INTERNSHIP PROGRAM.—The
8 program shall introduce interns to the practice of diplomacy
9 and the unique rewards of the Foreign Service. The program
10 shall consist of three successive summer internships of not
11 less than eight weeks duration in each year to be completed
12 over the course of not more than four years. Special emphasis
13 shall be given to preparing the intern for the Foreign Service
14 examination process. In each year not less than 10 interns
15 shall enter the program.

16 "(c) ELIGIBILITY TO PARTICIPATE.—

17 "(1) Students enrolled full-time in institutions of
18 higher education from groups which are underrepre-
19 sented in the Foreign Service in terms of the cultural
20 and ethnic diversity of the Foreign Service and for
21 whom equal opportunity and affirmative action recruit-
22 ment efforts have not been successful in achieving bal-
23 anced representation in appointments to the Foreign
24 Service shall be eligible to be interns in programs
25 under this chapter.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

40

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

51

1 “(2) An intern shall have successfully completed
2 not less than one academic year of study at an institu-
3 tion of higher education to be admitted to the program.
4 In each succeeding year of participation an intern shall
5 have completed an additional year of undergraduate or
6 graduate study and shall maintain an exemplary record
7 of academic achievement.

8 “(3) In selecting interns, the Secretary shall con-
9 sider only the ablest students of superior ability select-
10 ed on the basis of demonstrated achievement and ex-
11 ceptional promise whose academic records reflect the
12 requisite standards of performance necessary for the
13 Foreign Service.

14 “(d) SUMMER INTERNSHIPS.—

15 “(1) The primary focus of the first internship shall
16 be the study of international relations, the functions of
17 the Department of State and other agencies which uti-
18 lize the Foreign Service system, and the nature of the
19 Foreign Service. The internship shall be held in Wash-
20 ington, District of Columbia, at the Department of
21 State. As appropriate, the Secretary shall utilize the
22 personnel and facilities of the Foreign Service Institute
23 and the United States Congress.

24 “(2) The second internship shall be, principally,
25 an assignment to a specific bureau of the Department

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(91)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

52

1 of State and the United States Congress. Emphasis
2 shall be on providing insight into the economic and po-
3 litical functional areas.

4 "(3) The third internship shall be an assignment
5 to a United States mission abroad in the political or
6 economic area.

7 "(e) ADMINISTRATION.—The Secretary of State shall
8 determine the academic requirements, other selection crite-
9 ria, and standards for successful completion of each intern-
10 ship period. The Secretary shall be responsible for the design,
11 implementation, and operation of the program.

12 "(f) MENTORS.—Each intern shall be assigned a career
13 Foreign Service officer as a mentor. The mentor shall act as
14 a counselor and advisor throughout each summer internship
15 and as a personal Foreign Service contact throughout the
16 period of participation in the program. In the assignment of
17 mentors, the Secretary shall give preference to Foreign Serv-
18 ice officers who volunteer for such assignment and who may
19 be role models for the interns.

20 "(g) COMPENSATION.—Interns shall be compensated at
21 a rate determined by the Secretary which shall not be less
22 than the compensation of comparable summer interns at the
23 Department of State. As determined by the Secretary, for the
24 purposes of travel, housing, health insurance, and other ap-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

72

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

53

1 appropriate benefits, interns shall be considered employees of
2 the Foreign Service during each internship period.

3 "(h) FOREIGN SERVICE EXAMINATION.—To the extent
4 feasible, the Secretary may administer the Foreign Service
5 examination in annual increments.

6 "SEC. 1203. REPORT TO CONGRESS.

7 "Together with the annual submission required under
8 section 105(d)(2), the Secretary of State shall submit a report
9 to the Congress concerning the implementation of the pro-
10 gram established under this chapter. Such report accompa-
11 nied by such other information as the Secretary considers
12 appropriate, shall include specific information concerning the
13 completion rates of interns in the program, interns who took
14 the Foreign Service examination, interns who passed the ex-
15 amination, former interns appointed to the Foreign Service,
16 assignments of former interns, and the advancement of
17 former interns through the Foreign Service System.

18 "SEC. 1204. FUNDING.

19 "Of the amounts authorized to be appropriated by sec-
20 tion 101(a)(1) of the Foreign Relations Authorization Act,
21 Fiscal Years 1990 and 1991, \$100,000 for fiscal year 1990
22 and \$150,000 for fiscal year 1991 shall be available only to
23 carry out this chapter. Sums appropriated for the purposes
24 of this chapter are authorized to remain available until
25 expended."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(15)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

54

1 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
2 The Foreign Service Act of 1980 is amended by adding after
3 the items relating to chapter 11 the following:

"CHAPTER 12—FOREIGN SERVICE INTERSHIP PROGRAM

"Sec. 1201. Statement of policy; objectives.
"Sec. 1202. Foreign service internship program.
"Sec. 1203. Report to Congress.
"Sec. 1204. Authorization of appropriations."

4 (d) REPORT TO CONGRESS.—Not more than 90 days
5 after the date of the enactment of this Act, the Secretary of
6 State shall submit a report to the Congress concerning the
7 implementation of the Foreign Service Internship Program.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

74

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 SEC. 143. GRANTS FOR INSTITUTIONS AND STUDENTS FOR
 9 TRAINING IN INTERNATIONAL AFFAIRS.
 10 The State Department Basic Authorities Act of 1956
 11 (22 U.S.C. 2269 et seq.) is amended—
 12 (1) by redesignating section 43 (as so designated
 13 by section 129 of this Act) as section 44; and
 14 (2) by adding after section 42 the following new
 15 section:
 16 "SEC. 43. GRANTS FOR TRAINING AND EDUCATION IN INTER-
 17 NATIONAL AFFAIRS.
 18 "(a) GRANTS TO INSTITUTIONS OF HIGHER EDUCA-
 19 TION FOR PROGRAMS IN INTERNATIONAL AFFAIRS.—
 20 "(1) The Secretary of State is authorized to make
 21 grants to institutions of higher education to enable such
 22 institutions to provide programs in international affairs

21 SEC. 143. GRANTS FOR INSTITUTIONS AND STUDENTS FOR
 22 TRAINING IN INTERNATIONAL AFFAIRS.
 23 The State Department Basic Authorities Act of 1956
 24 (22 U.S.C. 2269 et seq.), as amended by sections 111 and
 25 115, is further amended—
 1 (1) by redesignating section 45 as section 46; and
 2 (2) by inserting after section 44 the following new
 3 section:
 4 "SEC. 45. GRANTS FOR TRAINING AND EDUCATION IN INTERNA-
 5 TIONAL AFFAIRS.
 6 "The Secretary of State may make grants to postsec-
 7 ondary educational institutions or students for the purpose of
 8 increasing the level of knowledge and awareness of and inter-
 9 est in employment with the Foreign Service, consistent with
 10 section 105 of the Foreign Service Act of 1980. To the extent
 11 possible, the Secretary shall give special emphasis to promot-
 12 ing such knowledge and awareness of the Foreign Service
 13 among minority students. Any grants awarded shall be made
 14 pursuant to regulations to be established by the Secretary of
 15 State, which shall provide for a limit on the size of any spe-
 16 cific grant and, regarding any grants to individuals, shall
 17 ensure that no grant recipient receives an amount of grants
 18 from one or more Federal programs which in the aggregate
 19 would exceed the cost of his or her education, and shall re-
 20 quire satisfactory educational progress by grantees as a con-
 21 dition of eligibility for continued receipt of grant funds."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(5)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

55

for undergraduate students, particularly those students who are from cultural and ethnic groups which are underrepresented in the Foreign Service. Such programs shall provide students with an opportunity to participate in academic, research, and clinical programs in international affairs designed to provide students with effective preparation for entry into the Foreign Service.

"(2) In making awards to institutions the Secretary shall, to the maximum extent feasible—

"(A) give priority consideration to the award of grants to historically African American colleges and universities and other minority institutions of higher education; and

"(B) ensure an equitable geographic distribution of awards and an equitable distribution among public and private institutions of higher education.

"(b) GRANTS TO STUDENTS FOR STUDY IN INTERNATIONAL AFFAIRS.—

"(1) The Secretary of State is authorized to make awards for undergraduate study in international affairs to students of superior ability selected on the basis of demonstrated achievement and exceptional promise, particularly students who are from cultural and ethnic groups which are underrepresented in the Foreign

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(8)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

56

1 Service. Grants shall be awarded for only one academ-
2 ic year of study and shall be renewable for a period not
3 to exceed 3 years. No student shall receive an award
4 except during periods in which such student is main-
5 taining satisfactory progress in, and devoting essential-
6 ly full time to, study in international affairs or a relat-
7 ed field.
8 "(2) In making awards to students, the Secretary
9 shall, to the maximum extent feasible—
10 "(A) give priority consideration to the award
11 of grants to students from cultural and ethnic
12 groups which are underrepresented in the Foreign
13 Service;
14 "(B) ensure an equitable geographic distribu-
15 tion of awards and an equitable distribution
16 among students enrolled in public and private in-
17 stitutions of higher education.
18 "(c) REQUIREMENTS.—The Secretary shall provide for
19 such fiscal control and accounting procedures as may be nec-
20 essary to assure proper disbursement of and accounting for
21 Federal funds paid under this section. The Secretary may
22 provide for the making of such reports, in such form and
23 containing such information, as the Secretary may require to
24 carry out this section.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(97)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

57

1 "(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated \$100,000 for the fiscal
3 year 1990 and \$100,000 for the fiscal year 1991 to carry out
4 this section. Sums appropriated for the purposes of this sec-
5 tion are authorized to remain available until expended."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

78

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 152. PROTECTION OF THE INTEGRITY OF THE LEGISLATIVE
2 PROCESS.
3 Unless an individual has been appointed to fill the posi-
4 tion of Ombudsman for Civil Service Employees, pursuant
5 to the requirements of section 172(c) of the Foreign Relations
6 Authorization Act, Fiscal Years 1988 and 1989, within 90
7 days after the date of enactment of this Act, the Director of
8 the Office of Personnel Management shall appoint an om-
9 budsman within 120 days after the date of enactment of this
10 Act to carry out the functions of that position.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11. **PART E—FOREIGN LANGUAGE COMPETENCE WITHIN**12. **THE FOREIGN SERVICE**13. **SEC. 161. EXPANSION OF MODEL FOREIGN LANGUAGE COMPE-**14. **TENCE POSTS.**

15. (a) **DESIGNATION OF POSTS.**—In order to carry out
 16. the purposes of section 702 of the Foreign Service Act of
 17. 1980, and in light of the positive report issued on March 28,
 18. 1986, by the Department of State, as required by section
 19. 2207 of the Foreign Service Act of 1980, the Secretary of
 20. State shall designate as model foreign language competence
 21. posts at least two Foreign Service posts in each of the De-
 22. partment of State's five geographic bureaus, for a minimum
 23. of ten posts, in countries where English is not the common
 24. language. Such designation shall be made not later than Oc-
 25. tober 1, 1989, and shall be implemented so that no later
 26. than October 1, 1991, each Government employee perma-
 1. nently assigned to those posts shall possess an appropriate
 2. level of competence in the language common to the country
 3. where the post is located. The Secretary of State shall deter-
 4. mine appropriate levels of language competence for employees
 5. assigned to those posts by reference to the nature of their
 6. functions and the standards employed by the Foreign Service
 7. Institute.

(16)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 (b) "HARD LANGUAGE COUNTRY" POST TO BE DES-
9 IGNATED.—At least one of the posts designated under subsec-
10 tion (a) shall be in a "hard language" country, as identified
11 in the report to the Under Secretary of State for Manage-
12 ment of May 12, 1986, entitled "Hard Language Proficiency
13 in the Foreign Service". Such post shall be in one of the
14 countries where the official or principal language is Arabic,
15 Chinese, Japanese, or Russian.

16 (c) TERMINATION DATE.—The posts designated under
17 subsection (a) shall continue as model foreign language posts
18 at least until September 30, 1993. Not later than Janu-
19 ary 31, 1994, the Secretary of State shall submit to the
20 Committee on Foreign Relations of the Senate and the Com-
21 mittee on Foreign Affairs of the House of Representatives a
22 report describing the operation of such posts and the costs,
23 advantages, and disadvantages associated with meeting the
24 foreign language competence requirements of this section.

1 (d) EXEMPTION AUTHORITY.—The Secretary of State
2 may authorize exceptions to the requirements of this section
3 if—

4 (1) he determines that unanticipated exigencies so
5 require; and

6 (2) he immediately reports such exceptions to the
7 Committee on Foreign Relations of the Senate and
8 the Committee on Foreign Affairs of the House of
9 Representatives.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

10 (e) EXCLUDED POSTS.—The posts designated under
11 subsection (a) may not include Dakar, Senegal, or Monte-
12 video, Uruguay. The report required under subsection (c)
13 shall include progress made in these posts in maintaining the
14 high foreign language standards achieved under the initial
15 pilot program.
16 (f) AUTHORIZATION OF APPROPRIATIONS.—There are
17 authorized to be appropriated such sums as may be necessary
18 to carry out this section.

19 SEC. 162. REPORT ON FOREIGN LANGUAGE ENTRANCE RE-
20 QUIREMENT FOR THE FOREIGN SERVICE.

21 Not later than December 31, 1989, the Secretary of
22 State shall submit to the Committee on Foreign Relations of
23 the Senate and the Committee on Foreign Affairs of the
24 House of Representatives a report evaluating an entrance re-
25 quirement for the Foreign Service of at least one world lan-
1 guage at the S-3/R-3 level, as defined by the Foreign Ser-
2 vice Institute, or one nonworld language at the S-2/R-2
3 level. Such report shall also describe—

4 (1) the amount of time necessary to implement
5 such a requirement;

6 (2) the use of bonus points on the Foreign Service
7 candidate scoring system for candidates with foreign
8 language ability; and

(12)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 (3) the adjustments necessary to raise otherwise
10 qualified candidates, especially including affirmative
11 action applicants, to the levels required for entrance as
12 defined in this section.

13 SEC. 163. FOREIGN SERVICE PROMOTION PANELS.

14 It is the sense of the Congress that, to the greatest extent
15 possible, Foreign Service promotion panels should—

16 (1) only promote candidates to the Senior Foreign
17 Service who have demonstrated foreign language profi-
18 ciency in at least one language at the S-3/R-3 level,
19 as defined by the Foreign Service Institute;

20 (2) strive for the objective stipulated in the For-
21 eign Service Manual (3 FAM 870, "Foreign Lan-
22 guage Training", 871.2-1 a. (1)) "to be able to use
23 two foreign languages at a minimum professional level
24 of proficiency of S-3/R-3"; and

1 (3) have at least one person on each Foreign
2 Service promotion panel who has attained at least the
3 S-3/R-3 level.

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4 SEC. 164. LANGUAGE PROFICIENCY IN THE EMPLOYEE EVALUA-

5 TION REPORT.

6 (a) ASSESSMENT OF FOREIGN LANGUAGE COMPE-

7 TENCE.—The Department of State and the Agency for Inter-
8 national Development shall revise the Employee Evaluation
9 Report for Foreign Service officers, and the United States
10 Information Agency shall revise the Officer Evaluation
11 Report for its Foreign Service officers, to require, as a sepa-
12 rate entry, an assessment of the employee's performance in
13 each foreign language tested at the S-3/R-3 level, including
14 the date on which the officer was last tested in that language
15 and the score achieved in the officer's last test.

16 (b) PRECEDENCE IN PROMOTION.—The directors of
17 personnel of the Department of State, the Agency for Inter-
18 national Development, and the United States Information
19 Agency shall instruct promotion panels to take account of
20 language ability and, all matters being otherwise equal, to
21 give precedence in promotions to officers who have achieved a
22 level of at least S-3/R-3 in one or more foreign languages
23 over officers who lack a level of S-3/R-3.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(10)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 154. DANGER PAY ALLOWANCE.

7 The Secretary of State may not deny a request by the
8 Drug Enforcement Administration to authorize a danger pay
9 allowance for any employee of such agency, in accordance
10 with the authorities granted in section 5928 of title 5, United
11 States Code.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(15)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

12 SEC. 155. REPORT TO CONGRESS CONCERNING POLYGRAPH
13 PROGRAM.

14 (a) REPORT TO CONGRESS.—Not later than January
15 31 of each year, the Secretary of State shall prepare and
16 submit an annual report on the polygraph program of the
17 Department of State to the Committee on Foreign Affairs of
18 the House of Representatives and the Committee on Foreign
19 Relations of the Senate.

20 (b) CONTENTS OF REPORT.—The report shall provide
21 an assessment of the implementation of the polygraph pro-
22 gram during the preceding fiscal year. Together with such
23 other information and comments as the Secretary considers
24 appropriate, the report shall include the following:

1 (1) Data on the number of lie-detector tests
2 administered.

3 (2) A description of the purposes and results of
4 such tests.

5 (3) A description of the criteria used in the selec-
6 tion of programs and individuals for administration of
7 lie-detector tests.

8 (4) The number of individuals who refused to
9 submit to the administration of such tests.

10 (5) The number of lie detector tests administered
11 in which a specific incident was not under investiga-
12 tion.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

106

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 (6) A description of the actions taken when an in-
14 dividual fails or refuses the administration of such
15 tests, including the denial of clearance or any other ad-
16 verse action.

17 (7) A detailed accounting of cases in which more
18 than two administrations of such tests were necessary
19 to resolve discrepancies.

20 (8) Any proposed changes in regulations for the
21 Department of State polygraph program.

22 (c) DEFINITION.—For purposes of this section the term
23 "lie detector" shall have the meaning given such term under
24 section 2 of the Employee Polygraph Protection Act of 1988.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(107)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

59

1 SEC. 154. STUDY OF SEXUAL HARASSMENT AT THE DEPART-
2 MENT OF STATE.

3 (a) FINDINGS.—The June 1988 report of the United
4 States Merit Systems Protection Board entitled "Sexual
5 Harassment in the Federal Government: An Update" deter-
6 mined that the Department of State (including the United
7 States Information Agency) had the highest rate of incidence
8 of sexual harassment of women of any agency of the Federal
9 Government.

10 (b) STUDY.—Subject to the availability of appropria-
11 tions, not more than 90 days after the date of the enactment
12 of this Act, the Secretary of State (in consultation with the
13 Director of the United States Information Agency) shall
14 enter into a contract with a private organization with estab-
15 lished expertise and demonstrated capabilities in personnel
16 systems and problems for the purpose of conducting a study
17 and preparing a report concerning sexual harassment at the
18 Department of State and the United States Information
19 Agency.

20 (c) REPORT.—Together with such other information as
21 is determined to be appropriate and informative, such report
22 shall include—

23 (1) an assessment of the origins of sexual harass-
24 ment at the Department of State and the United States
25 Information Agency;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(106)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

60

1 (2) a determination of the reasons for the high
2 rate of incidence of sexual harassment at such Federal
3 agencies;
4 (3) an evaluation of the actions which have been
5 proposed and implemented by such Federal agencies to
6 respond to the findings of the Merit Systems Protection
7 Board report;
8 (4) a proposal for further specific actions by each
9 agency; and
10 (5) recommendations for such changes in adminis-
11 trative procedures, regulations, and legislation as may
12 be considered necessary to address the problem of
13 sexual harassment at the Department of State and the
14 United States Information Agency.
15 (d) SUBMISSION OF REPORT TO THE CONGRESS.—Not
16 more than one year after the date of the enactment of this
17 Act, the Secretary of State shall submit the full and complete
18 report of such study, together with such comments as the
19 Secretary of State or the Director of the United States Infor-
20 mation Agency consider appropriate, to the Committee on
21 Foreign Affairs of the House of Representatives and the
22 Committee on Foreign Relations of the Senate.

61

1 SEC. 157. AUTHORITY TO TRANSFER RETIREMENT CONTRIBU-
2 TIONS FOR FOREIGN SERVICE NATIONALS TO
3 LOCAL PLANS.

4 (a) LIMITED OPTION TO TRANSFER TO LOCAL
5 PLAN.—Section 408 of the Foreign Service Act of 1980 (22
6 U.S.C. 3968) is amended by inserting at the end of subsec-
7 tion (a) the following new paragraph:

8 "(3)(A) Where a foreign national employee so elects
9 during a one-year period established by the Secretary of
10 State with respect to each post abroad, the Secretary of the
11 Treasury (at the direction of the Secretary of State) shall
12 transfer such employee's interest in the Civil Service Retire-
13 ment and Disability Fund to a trust or other local retirement
14 plan certified by the United States Government, under a local
15 compensation plan established for foreign national employees
16 pursuant to this section (excluding local social security plans).

17 "(B) For purposes of this paragraph, an employee's in-
18 terest in the Civil Service Retirement and Disability Fund
19 means the sum of employee and all employing agency contri-
20 butions with respect to such employee (pursuant to sections
21 8331(8) and 8334(a)(1) of title 5, United States Code) and
22 interest at the rate provided by section 8334(e)(3) of title 5,
23 United States Code. Any such transfer shall void any annuity
24 rights or entitlement to lump sum credit under subchapter III
25 of chapter 83 of title 5, United States Code."

6

PART D—PERSONNEL

7 SEC. 141. AUTHORITY TO TRANSFER RETIREMENT CONTRIBU-
8 TIONS FOR FOREIGN SERVICE NATIONALS TO
9 LOCAL PLANS.

10 (a) LOCAL COMPENSATION PLANS.—Subsection
11 408(a) of the Foreign Service Act of 1980 (22 U.S.C. 3968)
12 is amended by inserting at the end thereof the following new
13 paragraph:

14 "(3)(A) At the direction of the Secretary of State, and
15 whenever a foreign national employee so elects during a one-
16 year period established by the Secretary of State with respect
17 to each post abroad, the Secretary of the Treasury shall
18 transfer such employee's interest in the Civil Service Retire-
19 ment and Disability Fund to a trust or other local retirement
20 plan certified by the United States Government, under a
21 local compensation plan established for foreign national em-
22 ployees pursuant to this section (excluding local social
23 security plans).

1 "(B) For purposes of subparagraph (A), the phrase
2 "employee's interest in the Civil Service Retirement and
3 Disability Fund" means the total contributions of the em-
4 ployee and the employing agency with respect to such em-
5 ployee, pursuant to subsections 8331(8) and 8334(a)(1) of
6 title 5, United States Code, respectively, plus interest at the
7 rate provided in subsection 8334(e)(3) of such title.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(11)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (b) EFFECT OF TRANSFER.—Section 8345 of title 5,
2 United States Code, is amended by adding at the end thereof
3 a new subsection (l), as follows:

4 "(l) Transfers of contributions and deposits authorized
5 by section 408(a)(3) of the Foreign Service Act of 1980 shall
6 be considered a complete and final payment of benefits under
7 this chapter."

8 "(C) Any such transfer shall void any annuity rights or
9 entitlement to lump-sum credit under subchapter III of chap-
10 ter 83 of such title."

11 (b) TRANSFER AS CONSTITUTING FINAL PAY-
12 MENT.—Section 8345 of title 5, United States Code, is
13 amended by adding at the end thereof a new subsection (l), as
14 follows:

15 "(l) Transfers of contributions and deposits authorized
16 by section 408(a)(3) of the Foreign Service Act of 1980 shall
17 be deemed to be a complete and final payment of benefits
18 under this chapter with respect to the employee's funds thus
19 transferred."

20 (c) The transfer of an employee's interest in the Civil
21 Service Retirement and Disability Fund shall occur after
22 October 1, 1990.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(11)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 142. DISQUALIFICATION FOR SERVICE ON FOREIGN SERV-
2 ICE SELECTION BOARDS.
3 Section 602 of the Foreign Service Act of 1980 (22
4 U.S.C. 4002) is amended by adding at the end thereof the
5 following:
6 "(c) No public members appointed pursuant to this sec-
7 tion may be, at the time of their appointment or during their
8 appointment, an agent of a foreign principal, as defined by
9 section 1(b) of the Foreign Agents Registration Act of 1938
10 or receive income from a government of a foreign country."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(112)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 SEC. 158. JUDICIAL REVIEW—SEPARATION FOR CAUSE.

9 Section 610 of the Foreign Service Act of 1980 (22
10 U.S.C. 4010) is amended by adding at the end of subsection
11 (a)(2) the following new sentence: "Section 1110 shall apply
12 to proceedings under this paragraph."

11 SEC. 162. SEPARATION FOR CAUSE; JUDICIAL REVIEW.

12 (a) AVAILABILITY OF JUDICIAL REVIEW.—Section
13 610(a)(2) of the Foreign Service Act of 1980 (22 U.S.C.
14 4010(a)(2)) is amended by adding at the end thereof the fol-
15 lowing new sentence: "Section 1110 shall also apply to pro-
16 ceedings under this paragraph."

17 (b) SEPARATION DUE TO CRIMINAL CONVICTION.—

18 Section 610(a)(2) of the Foreign Service Act of 1980 (22
19 U.S.C. 4010) is amended by inserting at the end of the first
20 sentence before the period the following: "or, notwithstanding
21 section 1106(8) of this Act, unless the member has been con-
22 victed of a crime related to the cause for separation, subject to
23 reinstatement with back pay (for any period during which
24 separation for cause had not been established by such a hear-
25 ing) if such conviction is reversed on appeal".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

113

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 SEC. 150. JUDICIAL REVIEW OF CERTAIN FOREIGN SERVICE

23 GRIEVANCES.

24 For the purposes of judicial review under section 1010
25 of the Foreign Service Act of 1980, any recommendation
1 made by the Foreign Service Grievance Board with respect
2 to the tenure of a grievant which was reviewed by the Secre-
3 tary of State before the date of enactment of the Foreign Re-
4 lations Authorization Act, Fiscal Years 1988 and 1989,
5 shall be considered to be a final action of the Department of
6 State, and any such recommendation shall be considered to
7 have been made within the authority of the Foreign Service
8 Grievance Board.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(14)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 SEC. 159. TRAVEL, LEAVE, AND OTHER BENEFITS.

14 Section 901 of Chapter 9 of the Foreign Service Act of
15 1980 (22 U.S.C. 4081) is amended in paragraph (9) to read
16 as follows:

17 "(9) roundtrip travel to or from an employee's
18 post of assignment for purposes of family visitation in
19 emergency situations involving personal hardship,
20 except that payment for travel by family members to
21 an employee's post of assignment may be authorized
22 under this paragraph only where the family of the
23 member is prevented by official order from residing at
24 such post;"

5 SEC. 147. TRAVEL, LEAVE, AND OTHER BENEFITS.

6 Section 901(9) of chapter 9 of the Foreign Service Act
7 of 1980 (22 U.S.C. 4081(9)) is amended by striking out
8 "from a location" and inserting in lieu thereof "to or from an
9 employee's assigned post".

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

10 SEC. 148. SPECIAL ALLOWANCES UNDER TITLE 5, UNITED

11 STATES CODE.

12 (a) IN GENERAL.—Section 5523(a) of title 5, United
13 States Code, is amended—

14 (1) in paragraph (1)(A), by inserting "(or that of
15 his dependents or immediate family, as the case may
16 be)" after "departure"; and

17 (2) in the last sentence, by striking out "for not
18 more than 120 additional days" and inserting in lieu
19 thereof "thereafter in 30-day increments, up to a total
20 evacuation period of no more than 270 days".

21 (b) LUMP-SUM PAYMENTS.—Section 5551(a) of that
22 title is amended by inserting after "pay" in the second sen-
23 tence the following: "or, for service as part of a tour of duty
24 or extension thereof commencing on or after the effective date
1 of the Foreign Relations Authorization Act, Fiscal Year
2 1990, the basic pay,".

3 (c) AUTHORITY FOR ALLOWANCES.—Section 5922 of
4 that title is amended by adding at the end thereof the follow-
5 ing new subsections:

6 "(d) When a quarters allowance or an allowance related
7 to education under this subchapter, or quarters furnished in
8 Government-owned or controlled buildings under section
9 5912, would be furnished to an employee but for the death of
10 the employee, such allowances or quarters may be furnished

(16)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

11 or continued for the purpose of allowing any child of the em-
 12 ployee to complete the current school year at post or away
 13 from post, notwithstanding the employee's death.

14 "(e) When an allowance related to education away from
 15 post under this subchapter would be authorized to an employ-
 16 ee but for the evacuation/authorized departure status of the
 17 post, such an allowance may be furnished or continued for
 18 the purpose of allowing any dependent child of such employee
 19 to complete the current school year."

20 (d) *QUARTERS ALLOWANCES.*—Section 5923 of that
 21 title is amended—

22 (1) in paragraph (1)—

23 (A) by striking out "lodging" and inserting
 24 in lieu thereof "subsistence"; and

1 (B) by inserting "including meals and laun-
 2 dry expenses" after "quarters" the first time it
 3 appears;

4 (2) in paragraph (1)(A), by striking out "3
 5 months" and inserting in lieu thereof "90 days"; and

6 (3) in paragraph (1)(B), by striking out "1
 7 month" and inserting in lieu thereof "30 days".

8 (e) *POST ALLOWANCE.*—Section 5924(1) of that title
 9 is amended by inserting before the period at the end thereof

10 the following: ", except that employees receiving the tempo-
 11 rary subsistence allowance under section 5923(1) of this title
 12 are ineligible for receipt of a post allowance under this para-

13 graph."

(17)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

14 (f) TRANSFER ALLOWANCE.—Section 5924(2) of that
15 title is amended—

16 (1) in the text above clause (A)—

17 (A) by inserting "subsistence and other relo-
18 cation" after "reasonable"; and

19 (B) by inserting "(including unavoidable
20 lease penalties)" after "expenses";

21 (2) in clause (A), by striking out "the Common-
22 wealth of Puerto Rico" and inserting in lieu thereof
23 "the Commonwealth of the Northern Mariana Islands
24 or the Commonwealth of Puerto Rico"; and

1 (3) in clause (B), by striking out "between as-
2 signments to posts in foreign areas" and inserting in
3 lieu thereof "after the employee agrees in writing to
4 remain in Government service for 12 months after
5 transfer, unless separated for reasons beyond the
6 control of the employee that are acceptable to the
7 agency concerned".

8 (g) EDUCATION ALLOWANCE.—Section 5924(4) of
9 that title is amended—

10 (1) in the text above clause (A), by inserting "or,
11 to the extent education away from post is involved, offi-
12 cial assignment to serve in such area or areas," after
13 "dependents,"



FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 (2) in clause (A), by inserting "pre-school for
15 handicapped children ages three to five years," before
16 "kindergarten," and
17 (3) in clause (B), by striking out "undergraduate
18 college" each place it appears and inserting in lieu
19 thereof "postsecondary (but not graduate or postgradu-
20 ate) educational institution".

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

63

1 SEC. 160. CREDIT FOR SERVICE AT UNHEALTHFUL POSTS.

2 (a) APPLICATION TO DETERMINATIONS OF ELIGIBIL-
 3 ITY FOR FORMER SPOUSES.—Section 816(i)(2) of the For-
 4 eign Service Act of 1980 (22 U.S.C. 4056) is amended to
 5 read as follows:

6 "(2) A former spouse shall not be considered as married
 7 to a participant for periods assumed to be creditable service
 8 under section 808(a) or section 809(e)."

9 (b) TERMINATION OF EXTRA CREDIT FOR RETIRE-
 10 MENT PURPOSES.—Section 817 of the Foreign Service Act
 11 of 1980 (22 U.S.C. 4057) is amended by adding at the end
 12 the following: "Such extra credit may not be used to deter-
 13 mine the eligibility of a person to qualify as a former spouse
 14 under this subchapter, or to compute the pro rata share under
 15 section 804(10). No extra credit for service at unhealthful
 16 posts may be given under this section for any service as part
 17 of a tour of duty, or extension thereof, commencing on or
 18 after the effective date of the Foreign Relations Authoriza-
 19 tion Act, Fiscal Years 1990 and 1991."

5 SEC. 148. CREDIT FOR SERVICE AT UNHEALTHFUL POSTS.

6 (a) CREDITABLE SERVICE.—Section 816(i)(2) of the
 7 Foreign Service Act of 1980 (22 U.S.C. 4056) is amended
 8 to read as follows:

9 "(2) A former spouse shall not be considered as married
 10 to a participant for periods assumed to be creditable service
 11 under section 808(a) or section 809(e)."

12 (b) CALCULATION OF CREDIT FOR SERVICE AT UN-
 13 HEALTHFUL POSTS.—Section 817 of such Act (22 U.S.C.
 14 4057) is amended by adding at the end thereof the following
 15 new sentences: "Such extra credit shall not be used to deter-
 16 mine the eligibility of a person to qualify as a former spouse
 17 under this subchapter, or to compute the pro rata share under
 18 section 804(10). No extra credit for service at unhealthful
 19 posts shall be given under this section for any service as part
 20 of a tour of duty, or extension thereof, commencing on or
 21 after the date of enactment of the Foreign Relations Authori-
 22 zation Act, Fiscal Year 1990."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

122

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 SEC. 161. LIMITATION ON HOUSING BENEFITS.

21 (a) GENERAL.—The Secretary may not provide any
22 housing allowance, differential payment, provision of housing,
23 or other comparable benefit on the basis of the representa-
24 tional status of any employee of the Department of State or
25 member of the Foreign Service serving at any diplomatic or
26 consular post abroad except if such individual is the ambassa-
1 dor or deputy chief of mission or a counsellor at the post, or
2 the senior representative of an agency other than the Depart-
3 ment of State.

4 (b) REPORT AND PLAN.—The Secretary of State shall
5 provide a report to the Committee on Foreign Relations of
6 the Senate and the Committee on Foreign Affairs of the
7 House of Representatives on the allocation of representation-
8 al benefits to employees of United States diplomatic and con-
9 sular posts not later than 180 days after the date of enact-
10 ment of this Act. The report required by this subsection shall
11 contain a plan which the Secretary intends to implement
12 prior to October 1, 1991, for the limitation of such benefits at
13 United States diplomatic and consular posts overseas.

14 (c) TERMINATION.—The provisions of this section shall
15 terminate on October 1, 1991.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(12)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 SEC. 162. REPORTS AND STUDIES CONCERNING BROADENING
17 THE CULTURAL AND ETHNIC REPRESENTATION
18 OF THE FOREIGN SERVICE AND THE DEPART-
19 MENT OF STATE.

20 (a) TASK FORCE AND REPORT ON HISPANIC RE-
21 CRUITMENT.—The Secretary of State shall appoint a task
22 force comprised of high-ranking officials to conduct a study
23 and make recommendations concerning improvements in the
24 recruitment and promotion of Hispanic Americans at the De-
25 partment of State and within the Foreign Service. Not later

9 SEC. 151. MERIT BASED FOREIGN SERVICE.

10 (a) FINDINGS.—The Congress finds that a primary
11 role of the Department of State is to represent the interests of
12 the American people in foreign affairs and, as such, should
13 strive to represent and include, among its policy and profes-
14 sional employees, the great diversity of the American people.

15 (b) RECRUITMENT.—(1) Not later than 120 days after
16 the date of enactment of this Act, the Secretary of State shall
17 provide the Congress with a plan to assure that equal efforts
18 are undertaken in each of the regions of the United States to
19 recruit policy and professional Government Service Employ-
20 ees and Foreign Service Officers for the Department of State
21 and each of its affiliated agencies.

22 (2) Not later than January 1, 1990, the Secretary of
23 State shall implement the plan provided for in paragraph (1).

24 (c) REPORT.—Not later than 120 days after the date of
25 enactment of this Act, the Office of Inspector General of the
1 Department of State shall submit to the Congress a report
2 documenting the geographic, racial, ethnic, and gender com-
3 position of the policy and professional Government Service
4 employees and Foreign Service Officers of the Department
5 and each of its affiliated agencies. The report shall include—

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(122)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

65

1 than one year after the date of the enactment of this Act, the
2 task force shall submit a report of the findings of such study
3 to the Secretary of State and the appropriate committees of
4 the Congress.

5 (b) REPORT TO CONGRESS ON STATUS OF UNDERREP-
6 RESENTED GROUPS AT THE DEPARTMENT OF STATE.—
7 Not later than 180 days after the date of the enactment of
8 this Act, the Secretary of State shall prepare and submit a
9 report concerning efforts of the Department of State to im-
10 prove the percentage of individuals who are at the assistant
11 secretary and head of bureau level at the Department of
12 State from groups which are underrepresented in the Foreign
13 Service in terms of the cultural and ethnic diversity of the
14 Foreign Service.

15 (c) STUDY OF FOREIGN SERVICE EXAMINATION.—The
16 Secretary of State shall enter into a contract with a private
17 organization for a comprehensive review and evaluation of
18 the Foreign Service examination. Such review and evaluation
19 shall—

- 20 (1) identify any cultural, racial, ethnic, and sexual
- 21 bias;
- 22 (2) evaluate the ability of the examination to
- 23 measure an individual's aptitude for and potential in
- 24 the Foreign Service;

6 (1) a breakdown of current policy and profession-
7 al Government Service employees and Foreign Service
8 Officers of the Department and each of its affiliated
9 agencies by age, race, gender, undergraduate institu-
10 tion, graduate institution, and place of birth;

11 (2) a breakdown by age, race, gender, ethnic back-
12 ground, undergraduate institution, graduate institution,
13 and place of birth of those persons who during 1988
14 passed the written portion of the Foreign Service exam
15 but failed the interview portion; and

16 (3) a breakdown by age, race, gender, ethnic back-
17 ground, undergraduate institution, graduate institution,
18 and place of birth of those persons who during 1989
19 passed the Foreign Service exam.

20 (d) PROHIBITION ON DISCRIMINATION BASED ON
21 GEOGRAPHIC OR EDUCATIONAL AFFILIATION.—Section
22 105(b)(1) of the Foreign Service Act of 1980 (22 U.S.C.
23 3905(b)(1)) is amended by inserting "geographic or educa-
24 tional affiliation within the United States," after "marital
25 status,".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(123)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

66

(3) consider the relevance of the Foreign Service examination to the work of a Foreign Service officer;

(4) make recommendations for the removal of any element of bias in the examination; and

(5) make recommendations for improvements to achieve an examination free of any bias.

Not more than 18 months after the date of the enactment of this Act, the Secretary of State shall prepare and submit a report to the Congress which contains the findings of such review and evaluation, together with the comments of the Secretary and measures which the Secretary has initiated to respond to any adverse findings of such review. Such report

shall take into consideration the current efforts by the Department of State to review its Foreign Service examination.

(d) FOREIGN SERVICE FELLOWSHIPS.—The Secretary of State is authorized to establish a Foreign Service fellowship program at the Department of State. The Foreign Service fellowship program shall provide a fellowship, for not less than 4 months, for academics in the area of international affairs who are members of the faculty of institutions of higher education. Such program shall give priority consideration in the award of fellowships to individuals teaching in programs in international affairs which serve significant numbers of students who are from cultural and ethnic groups which are underrepresented in the Foreign Service.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 **PART F—ARCTIC OCEAN OILSPILLS**
2 **SEC. 171. AGREEMENT BETWEEN THE UNITED STATES AND**
3 **CANADA GOVERNING LIABILITY FOR POTENTIAL**
4 **OILSPILLS IN THE ARCTIC OCEAN AND INTERNA-**
5 **TIONAL CONTINGENCY PLANS.**
6 (a) *FINDINGS.—The Congress finds that—*
7 (1) *Canada has discovered commercial quantities*
8 *of oil and gas in the Amalagak region of the Northwest*
9 *Territory;*
10 (2) *Canada is currently exploring alternatives for*
11 *transporting the oil from the Amalagak field to markets*
12 *in Asia and the Far East;*
13 (3) *one of the options the Canadian government is*
14 *exploring involves transshipment of oil from the Ama-*
15 *lagak field across the Beaufort Sea to tankers which*
16 *would transport the oil overseas;*
17 (4) *the tankers would traverse the American Ex-*
18 *clusive Economic Zone through the Beaufort Sea into*
19 *the Chukchi Sea and then through the Bering Straits;*
20 (5) *these waters serve as the kitchen table for*
21 *Alaska's Native people providing them with sustenance*
22 *in the form of walrus, seals, fish, and whales;*
23 (6) *the Beaufort and Chukchi Seas provide im-*
24 *portant habitat for the bowhead whale, the lifeblood of*
25 *the Eskimo people of Alaska;*

(125)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (7) an oilspill in the Arctic Ocean, if not properly
2 dealt with, could have significant impacts on the indig-
3 enous people of Alaska's North Slope;

4 (8) the Canadian Arctic Waters Pollution Act
5 limits recovery of damages incurred as a result of off-
6 shore exploration or development to \$C40 million and
7 does not apply west of 141 degrees latitude;

8 (9) the Canadian government has entered into an
9 agreement with all companies licensed to drill in the
10 Canadian Beaufort mandating liability to United
11 States' claimants for damages suffered west of 141
12 degrees latitude, but that liability is limited to \$C20
13 million;

14 (10) there is no international agreement in effect
15 between the United States and Canada outlining legal
16 liability in the event of an oilspill;

17 (11) there are no international contingency plans
18 involving our two governments governing containment
19 and clean-up of an oilspill in the Arctic Ocean; and

20 (12) there is no pool of money immediately avail-
21 able to mitigate the impact of an oilspill or to reim-
22 burse the people of the North Slope for any losses they
23 might suffer in the event of an oilspill in Canadian
24 waters or by a Canadian tanker.

126

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 (b) *NEGOTIATIONS.*—The Congress calls upon the Sec-
2 retary of State and the Foreign Minister of Canada to begin
3 negotiations on a treaty dealing with the complex questions of
4 recovery of damages, contingency plans, and coordinated ac-
5 tions in the event of an oilspill in the Arctic Ocean or a
6 tanker accident during the shipment of oil by sea.

7 (c) *REPORT.*—The Secretary of State shall report to the
8 Senate Committee on Foreign Relations and the House
9 Committee on Foreign Affairs on his efforts toward this end
10 no later than January 1, 1990.

11 **SEC. 172. REPORT ON AGREEMENTS BETWEEN THE UNITED**
12 **STATES AND CANADA GOVERNING LIABILITY**
13 **FOR POTENTIAL OILSPILLS IN THE GREAT**
14 **LAKES AND THE ST. LAWRENCE SEAWAY AND**
15 **INTERNATIONAL CONTINGENCY PLANS.**

16 (a) *FINDINGS.*—The Congress finds that—

17 (1) the Great Lakes contain 95 percent of the
18 United States' and 20 percent of the world's fresh sur-
19 face water, providing drinking water for approximately
20 25 million Americans, supporting 20 percent of all
21 United States manufacturing, providing habitat for
22 thousands of wildlife species, and providing invaluable
23 recreational opportunities and businesses for millions
24 of people;

(127)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (2) last year four United States and twenty-two
2 Canadian tanker vessels carried 81 million barrels of
3 petroleum and hazardous materials through the Great
4 Lakes;

5 (3) the Great Lakes are particularly vulnerable to
6 oilspills, because they contain fresh water and are a
7 closed system, without a larger sea to help disperse
8 contaminants and reduce retention time;

9 (4) the potential for a disastrous oil spill on the
10 Great Lakes was recently demonstrated in March
11 1989, when the Canadian tank barge *Sturry* narrowly
12 avoided the release of 1.4 million gallons of carbon
13 black feedstock when it ran aground twice on the De-
14 troit River, near the drinking water intakes which
15 serve nearly 3 million people;

16 (5) the near miss in March of 1989 was not an
17 isolated incident, and hundreds of smaller spills have
18 actually occurred in recent years on the Great Lakes;
19 and

20 (6) concerns have been raised about inadequate
21 requirements by the United States and Canada on the
22 prevention and remediation of oilspills in the Great
23 Lakes, including questions about measures on double-
24 hulled tankers, double-skinned barges, vessel inspec-
25 tions, pilotage rules, spill notifications, spill contin-

(12b)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 gency plans, containment equipment, wildlife rehabili-
2 tation facilities, clean-up procedures and the allocation
3 of liability.
4 (b) REPORT.—The Secretary of State shall review the
5 international agreements and treaties with the Republic of
6 Canada, including relevant provisions of the Great Lakes
7 Water Quality Agreement of 1978, as amended by the Proto-
8 col of 1987, and the Canada-United States Marine Pollution
9 Contingency Plan for Spills of Oil and Other Noxious Sub-
10 stances, in order to determine whether amendments or addi-
11 tional international agreements are necessary to resolve com-
12 plex questions of recovery of damages in the event of an oil
13 spill in the Great Lakes and to ensure the adequacy of meas-
14 ures to prevent and remediate such spills. To the extent possi-
15 ble, the Secretary of State shall consult with the United
16 States Coast Guard, the Environmental Protection Agency,
17 and States surrounding the Great Lakes during this review.
18 (c) REPORT.—The Secretary of State shall report to the
19 Congress on the results of this review no later than Septem-
20 ber 1, 1989.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(129)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 **TITLE II—UNITED STATES**
2 **INFORMATION AGENCY**
3 **PART A—AUTHORIZATIONS OF APPROPRIATIONS**
4 **AND AUTHORIZED ACTIVITIES**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) **AUTHORIZATION OF APPROPRIATIONS.**—The fol-
7 lowing amounts are authorized to be appropriated for the
8 United States Information Agency (other than for the Voice
9 of America) to carry out international information, education-
10 al, cultural, and exchange programs under the United States
11 Information and Educational Exchange Act of 1948, the
12 Mutual Educational and Cultural Exchange Act of 1961, Re-
13 organization Plan Number 2 of 1977, and other purposes au-
14 thorized by law:

15 (1) **SALARIES AND EXPENSES.**—For "Salaries
16 and Expenses", \$462,510,000 for the fiscal year 1990
17 and \$481,010,000 for the fiscal year 1991.

18 (2) **EDUCATIONAL AND CULTURAL EXCHANGE**
19 **PROGRAMS.**—For "Educational and Cultural Ex-
20 change Programs", \$153,000,000 for the fiscal year
21 1990 and \$159,120,000 for the fiscal year 1991.

22 (3) **TELEVISION AND FILM SERVICE.**—For "Tele-
23 vision and Film Service", \$31,000,000 for the fiscal
24 year 1990 and \$32,240,000 for the fiscal year 1991.

21 **TITLE II—THE UNITED STATES**
22 **INFORMATION AGENCY**

23 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There are
25 authorized to be appropriated to the United States Informa-

1 tion Agency \$440,000,000 for fiscal year 1990 for "Salaries
2 and Expenses" to carry out international information, edu-
3 cational, cultural, and other exchange programs under the
4 United States Information and Educational Exchange Act
5 of 1948, the Mutual Educational and Cultural Exchange
6 Act of 1961, Reorganization Plan Number 2 of 1977, and
7 other purposes authorized by law.

8 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There are
9 authorized to be appropriated \$4,000,000 for United States
10 participation in the World's Fair in Seville, Spain.

11 **SEC. 202. BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—In addi-
13 tion to amounts otherwise authorized to be appropriated by
14 section 201, there are authorized to be appropriated to the
15 Bureau of Educational and Cultural Affairs \$196,626,000
16 for fiscal year 1990 to carry out the purposes of the Mutual
17 Educational and Cultural Exchange Act of 1961. Of the
18 funds authorized to be appropriated by this section, there are
19 authorized to be appropriated—
20 (1) \$98,000,000 for grants for the Fulbright Aca-

21 **demie Programme**

(Byrd-
Hatfield)

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(130)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

68

(4) NATIONAL ENDOWMENT FOR DEMOCRACY.—

For "National Endowment for Democracy"

\$25,000,000 for the fiscal year 1990 and \$25,000,000

for the fiscal year 1991.

(5) CENTER FOR CULTURAL AND TECHNICAL

INTERCHANGE BETWEEN EAST AND WEST.—For

"Center for Cultural and Technical Interchange be-

tween East and West", \$20,000,000 for the fiscal year

1990 and \$20,800,000 for the fiscal year 1991.

(b) ALLOCATION OF FUNDS.—Of the amounts author-

ized to be appropriated by paragraph (2) of subsection (a),

\$150,000 for the fiscal year 1990 and \$156,000 for the fiscal

year 1991 shall be available only for the training at the Uni-

versity of Maine and in Washington, District of Columbia, of

media personnel from developing French-speaking countries.

The Voice of America International Broadcast Training

Center shall administer such training program. The Bureau

of Educational and Cultural Exchanges shall provide to the

center such assistance as may be necessary in the facilitation

of such program.

(2) \$40,400,000 for grants for the International

Visitors Program;

(3) \$5,500,000 for grants for the Hubert H.

Humphrey Fellowship Program;

(4) \$2,500,000 for Congress-Bundestag Ex-

changes;

(5) \$2,000,000 for the Samantha Smith Pro-

grams;

(6) \$7,800,000 for the Arts America Program;

(7) \$11,900,000 for the Office of Citizen Ex-

changes; and

(8) \$150,000 for books and materials for the col-

lections at the Edward Zorinsky Memorial Library in

Jakarta, Indonesia.

(b) SOVIET AND EASTERN EUROPEAN RESEARCH

EXCHANGES.—(1) Of the funds authorized to be appropri-

ated in subsection (a), \$3,250,000 are authorized to be ap-

propriated for research exchanges with the Soviet Union and

Eastern Europe for—

(A) professors and other professionals holding the

doctoral degree or its equivalent; and

(B) enrolled doctoral candidates who will have

satisfied all requirements for the doctoral degree except

for the dissertation by the time of their exchange

participation.

(2) In addition to maintaining or expanding their tradi-

tional exchange programs with the Soviet Union and East-

ern Europe, organizations receiving the funds authorized by

this subsection shall be encouraged to develop direct ex-

changes with academic institutions in non-Russian republics

in the Soviet Union.



FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

21 SEC. 104. NATIONAL ENDOWMENT FOR DEMOCRACY.

22 In addition to amounts authorized to be appropriated by
23 section 201, there are authorized to be appropriated to the
24 United States Information Agency \$25,000,000 for fiscal
25 year 1990 to be available only for a grant to the National

1 Endowment for Democracy for use in carrying out its
2 purposes.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(132)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 205. EAST-WEST CENTER.

4 There are authorized to be appropriated \$20,700,000 for
5 fiscal year 1990 to carry out the provisions of the Center for
6 Cultural and Technical Interchange Between East and West
7 Act of 1960 (74 Stat. 134; Public Law 86-472).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

133

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 SEC. 202. USIA POSTS AND PERSONNEL OVERSEAS.

22 Section 204 of the Foreign Relations Authorization Act,
23 Fiscal Years 1988 and 1989 (Public Law 100-204) is
24 amended to read as follows:

1 "SEC. 204. USIA POSTS AND PERSONNEL OVERSEAS.

2 "(a) OPERATION OF POSTS.—Except as provided by
3 this section, no funds authorized to be appropriated by this or
4 any other Act shall be available to pay any expense related
5 to the closing or downgrading through reductions in staff or
6 operations of a United States Information Agency post
7 abroad.

8 "(b) CONGRESSIONAL NOTIFICATION.—Except as pro-
9 vided in subsections (c) and (d), a United States Information
10 Agency post abroad may be closed or downgraded through
11 reductions in staff or operations only if not less than one year
12 prior to a proposed closing or downgrading, the Director of
13 the United States Information Agency prepares and submits
14 a report of such proposed action, together with any justifica-
15 tions, to the Committee on Foreign Relations and the Com-
16 mittee on Appropriations of the Senate and the Committee
17 on Foreign Affairs and the Committee on Appropriations of
18 the House of Representatives.

19 "(c) EXCEPTIONS.—The provisions of subsection (b),
20 shall not apply with respect to any post closed or downgrad-
21 ed through reductions in staff or operations—

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(154)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 “(1) because of a break or downgrading of diplo-
 23 matic relations between the United States and the
 24 country in which the post is located; or
 25 “(2) because there is a real and present threat to
 26 United States diplomatic or consular personnel in the
 1 city where the post is located and a travel advisory
 2 warning against American travel to that city has been
 3 issued by the Department of State.
 4 “(d) SEQUESTRATION.—In the case that a sequestra-
 5 tion order is issued pursuant to Part C of the Balanced
 6 Budget and Emergency Deficit Control Act of 1985 (2
 7 U.S.C. 901 et seq.; Public Law 99-177), the Director of the
 8 United States Information Agency may, as part of an agen-
 9 cywide austerity proposal, submit a report proposing a list of
 10 United States Information Agency posts abroad to be down-
 11 graded or closed in order to comply with the sequestration
 12 order, together with a justification for the inclusion of each
 13 post on such list. Such report shall be submitted to the Com-
 14 mittee on Foreign Relations and the Committee on Appro-
 15 priations of the Senate and the Committee on Foreign Affairs
 16 and the Committee on Appropriations of the House of Repre-
 17 sentatives.”.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(13)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

18 SEC. 203. CHANGES IN ADMINISTRATIVE AUTHORITIES.

19 Section 810 of the United States Information and Edu-
20 cational Exchange Act of 1948 (22 U.S.C. 1475e) is amend-
21 ed to read as follows:

22 "SEC. 810. USE OF CERTAIN FEES AND PAYMENTS.

23 "Notwithstanding section 3302 of title 31, United
24 States Code, or any other law or limitation of authority, all
25 payments received by or for the use of the United States

1 Information Agency from or in connection with English-
2 teaching and library services, Agency-produced publications,
3 and motion picture and television programs produced or con-
4 ducted by or on behalf of the Agency under the authority of
5 this Act or the Mutual Educational and Cultural Exchange
6 Act of 1961 may be credited to the appropriate appropriation
7 of the United States Information Agency to such extent as
8 may be provided in advance in an appropriation Act."

20 SEC. 212. USE OF FEES FOR UNITED STATES INFORMATION

7 AGENCY PUBLICATIONS AND OTHER PROGRAMS.

8 Section 810 of the United States Information and Edu-
9 cational Exchange Act of 1948 (22 U.S.C. 1475e), is
10 amended to read as follows:

11 "SEC. 810. Notwithstanding section 3302 of title 31 of
12 any other law or limitation of authority, all payments re-
13 ceived by or for the use of the United States Information
14 Agency from or in connection with Agency-produced publica-
15 tions, English-teaching, and library programs produced or
16 conducted by or on behalf of the Agency under the authority
17 of this Act or the Mutual Educational and Cultural Ex-
18 change Act of 1961 may be credited to the Agency's applica-
19 ble appropriation to such extent as may be provided in ad-
20 vance in an appropriation Act."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

136

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 SEC. 204. USIA NETWORK FOR DISSEMINATION OF INFORMA-
10 TION CONCERNING UNITED STATES PROGRAMS
11 TO COMBAT NARCOTICS AND OTHER CON-
12 TROLLED SUBSTANCES.

13 The United States Information Agency shall establish
14 and maintain an international narcotics information network.
15 The network shall disseminate prompt, accurate, and com-
16 prehensive information to foreign governments concerning
17 programs and activities of the United States Government—

18 (1) to eliminate the illicit production, trafficking,
19 and abuse of narcotic and psychotropic drugs and other
20 controlled substances within the United States; and

21 (2) to promote drug prevention and rehabilitation
22 in the United States.

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

72

1 SEC. 205. DISSEMINATION IN THE UNITED STATES OF MATERI-
2 AL PREPARED FOR DISSEMINATION ABROAD.

3 Section 501 of the United States Information and
4 Educational Exchange Act of 1948 (22 U.S.C. 1461) is
5 amended—

6 (1) in the second sentence by striking "Any" and
7 inserting "Subject to subsection (b), any";

8 (2) by inserting "(a)" after "501."; and

9 (3) by adding after subsection (a) (as designated in
10 paragraph (2)) the following new subsection:

11 "(b) Motion pictures, films, and other material prepared
12 for dissemination abroad shall be available for use in the
13 United States 12 years after the initial dissemination of such
14 material outside the United States, or in the case of material
15 not disseminated abroad, 12 years after the preparation of
16 such material. The Archivist of the United States shall be the
17 official custodian of material made available under this sub-
18 section. The Archivist of the United States shall issue neces-
19 sary regulations to ensure that persons seeking release in the
20 United States of motion pictures, films and other material
21 made available under this subsection have secured necessary
22 United States rights and licenses. Costs associated with
23 making master copies of any such material shall be paid by
24 the person seeking domestic release of such material. The
25 National Archives and Records Administration may charge
26 fees for copies made under this subsection in accordance with

21 SEC. 207. DISSEMINATION OF INFORMATION WITHIN THE
22 UNITED STATES.

23 Section 501 of the United States Information and Edu-
24 cational Exchange Act of 1948 (22 U.S.C. 1461) is
25 amended—

1 (1) by inserting "(a)" after "501."; and

2 (2) by adding at the end thereof the following new
3 subsection:

4 "(b)(1) Notwithstanding the provisions of subsection
5 (a), the Director shall make available to the Archivist of the
6 United States, for domestic distribution, motion pictures,
7 films, videotapes, and other material prepared for dissemina-
8 tion abroad 12 years after the dissemination of the material
9 abroad or, in the case of such material not disseminated
10 abroad, 12 years after the preparation of the material."

11 "(2) The Director shall be reimbursed for any attendant
12 expenses. Any reimbursement to the Director pursuant to this
13 subsection shall be credited to the applicable appropriation of
14 the United States Information Agency."

15 "(3) The Archivist shall be the official custodian of the
16 material and shall issue necessary regulations to ensure that
17 persons seeking its release have secured and paid for neces-
18 sary United States rights and licenses and that all costs as-
19 sociated with the provision of the material by the Archivist
20 shall be paid by the persons seeking its release. The Archivist
21 may charge fees to recover such costs, in accordance with

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(138)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

73

1 section 2116(c) of title 44, United States Code. Fees collect-
2 ed by the National Archives and Records Administration
3 under this subsection shall be paid into, administered, and
4 expended as part of the National Archives Trust Fund."

22 *section 2116(c) of title 44, United States Code. Such fees*
23 *shall be paid into, administered, and expended as part of the*
24 *National Archives Trust Fund."*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

137

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 221. DISTRIBUTION WITHIN THE UNITED STATES OF
7 UNITED STATES INFORMATION AGENCY FILM
8 ENTITLED "LONG JOURNEY HOME".

9 Notwithstanding section 208 of the Foreign Relations
10 Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C.
11 1461-1(a)) and the second sentence of section 501 of the
12 United States Information and Education Exchange Act of
13 1948 (22 U.S.C. 1461)—

14 (1) the Director of the United States Information
15 Agency shall make available to the Archivist of the
16 United States a master copy of the film entitled "Long
17 Journey Home"; and

18 (2) upon evidence that necessary United States
19 rights and licenses have been secured and paid for by
20 the person seeking domestic release of the film, the
21 Archivist shall—

22 (A) reimburse the Director for any expenses
23 of the Agency in making that master copy avail-
24 able;

1 (B) deposit that film in the National Archives
2 of the United States; and

3 (C) make copies of that film available for
4 purchase and public viewing within the United
5 States.

6 Any reimbursement to the Director pursuant to this section
7 shall be credited to the applicable appropriation of the United
8 States Information Agency.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

172

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

5 SEC. 206. REPEAL OF LIMITATION ON PASSIVE PROGRAMS
6 FOR WORLDNET.

7 Section 209 of the Foreign Relations Authorization Act,
8 Fiscal Years 1988 and 1989 (Public Law 100-204) is
9 amended by striking subsection (e).

10 SEC. 207. LIMITATION ON WORLDNET FUNDING.

11 Of the funds authorized to be appropriated to the United
12 States Information Agency for fiscal year 1990, not more
13 than \$12,000,000 may be obligated or expended for
14 Worldnet.

66

1 SEC. 108. USIA SATELLITE AND TELEVISION.

2 Title V of the United States Information and Educa-
3 tional Exchange Act of 1948 is amended by adding at the
4 end thereof the following new section:

5 "SEC. 505. USIA SATELLITE AND TELEVISION.

6 "(a) IN GENERAL.—The Director of the United States
7 Information Agency is authorized to lease or otherwise ac-
8 quire time on commercial or United States Government sat-
9 ellites for the purpose of transmitting materials and programs
10 of the Agency to posts and other users abroad. The Director is
11 authorized to produce and transmit only where the programs
12 are—

13 "(1) interactive dialogue programs consisting of
14 live interviews and discussions among participants in
15 different locations;

16 "(2) coverage of current events, such as United
17 States elections, candidate debates, and presidential
18 speeches, where such coverage is not available at a
19 reasonable cost from commercial or public television
20 networks;

21 "(3) regular coverage of congressional proceedings,
22 White House news briefings, or State Department
23 news briefings, where such coverage is not available at
24 a reasonable fee from C-Span or other public and com-
25 mercial television service; or

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

67

1 "(4) short news clips to be provided to foreign
2 broadcasters only for rebroadcast at the discretion of
3 the foreign broadcaster.

4 "(b) PREFERENCE FOR NON-GOVERNMENTAL
5 BROADCASTS.—In transmitting programs by satellite pur-
6 suant to subsection (a), the Director of the United States
7 Information Agency shall use programs produced by Ameri-
8 can commercial and public television broadcasters in prefer-
9 ence to material produced by the United States Government
10 where such programs are comparable to programs being pro-
11 duced by the United States Information Agency and where
12 such programs are available at a reasonable cost. The United
13 States Information Agency Film and Television Service is
14 authorized to acquire and transmit, by satellite, programs
15 produced by United States commercial and public television
16 networks only if such programs—

17 "(1) are comprised of news, public affairs, artis-
18 tic, cultural, or scientific programming; and

19 "(2) have been or are being broadcast in the
20 United States.

21 "(c) ALLOCATION OF FUNDS.—Of the funds author-
22 ized to be appropriated to the United States Information
23 Agency by this title, \$1,500,000 are authorized to be appro-
24 priated for the purchase or use of programs produced with

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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(172)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

68

1 grants from the Corporation for Public Broadcasting or pro-
2 duced by United States public television networks.

3 "(d) POLICY TOWARD PROGRAMMING BY FOREIGN
4 BROADCASTERS.—The Congress intends that television pro-
5 grams transmitted by satellite pursuant to this section should
6 supplement the programming of foreign broadcasters and does
7 not intend that the United States Information Agency should
8 establish its own television network in competition with for-
9 eign broadcasters or United States commercial and public
10 television networks.

11 "(e) AVAILABILITY OF LEASED TIME TO OTHER
12 GOVERNMENT AGENCIES.—To the extent that significant
13 economies may be achieved by the purchase of large blocks of
14 satellite time, the Director of the United States Information
15 Agency is authorized to acquire such satellite time. Satellite
16 time not utilized by the United States Information Agency,
17 or time in excess of four hours of programming each day,
18 shall be made available to other United States Government
19 agencies on a priority basis and without cost. Satellite time
20 not utilized by the United States Government may be sold to
21 commercial users.

22 "(f) POLICY TOWARD FACILITATING ACCESS TO
23 UNITED STATES PROGRAMMING.—The Congress affirms
24 its belief that the United States free enterprise system, sup-
25 plemented by public television, provides the highest quality

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(142)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

69

1 and most objective news and public affairs programming
2 available. The United States Information Agency shall un-
3 dertake, as a matter of high priority in the field of television,
4 to promote access in foreign countries to the news and public
5 affairs programming of United States commercial and public
6 television networks. Whenever requested by a United States
7 company and permitted by a foreign government, the United
8 States Information Agency shall provide assistance, includ-
9 ing use of the United States Information Agency satellite
10 receiving equipment, to facilitate such access.
11 (g) REPEAL OF RESTRICTIONS.—Section 209(e) of
12 the Foreign Relations Authorization Act, Fiscal Years 1988
13 and 1989 (Public Law 100-204), is repealed.

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

15 SEC. 208. UNITED STATES ADVISORY COMMISSION ON PUBLIC
16 DIPLOMACY.

17 (a) UNITED STATES ADVISORY COMMISSION ON
18 PUBLIC DIPLOMACY.—Section 604 of the United States In-
19 formation and Education Exchange Act of 1948 (22 U.S.C.
20 1469) is amended to read as follows:

21 "SEC. 604. UNITED STATES ADVISORY COMMISSION ON
22 PUBLIC DIPLOMACY.

23 "(a) ESTABLISHMENT.—There is established an adviso-
24 ry commission to be known as the United States Advisory
25 Commission on Public Diplomacy. The Commission shall
1 consist of seven members appointed by the President, by and
2 with the advice and consent of the Senate. The members of
3 the Commission shall represent the public interest and shall
4 be selected from a cross section of educational, communica-
5 tions, cultural, scientific, technical, public service, labor, and
6 business and professional backgrounds. Not more than four
7 members shall be from any one political party. The term of
8 each member shall be three years, except that of the original
9 seven appointments, two shall be for a term of one year and
10 two shall be for a term of two years. Any member appointed
11 to fill a vacancy occurring prior to the expiration of the term
12 for which a predecessor was appointed shall be appointed for
13 the remainder of such term. Upon the expiration of a mem-
14 ber's term of office, such member may continue to serve until
15 a successor is appointed and has qualified. The President
16 shall designate a member to chair the Commission.

19 SEC. 116. UNITED STATES ADVISORY COMMISSION ON PUBLIC
20 DIPLOMACY.

21 (a) IN GENERAL.—Section 604 of the United States
22 Information and Education Exchange Act of 1948 (22
23 U.S.C. 1469) is amended to read as follows:

1 "SEC. 604. UNITED STATES ADVISORY COMMISSION ON PUBLIC
2 DIPLOMACY.

3 "(a) ESTABLISHMENT.—(1) There is established an
4 advisory commission to be known as the United States
5 Advisory Commission on Public Diplomacy.

6 "(2) The Commission shall consist of seven members
7 appointed by the President, by and with the advice and con-
8 sent of the Senate. The members of the Commission shall
9 represent the public interest and shall be selected from a cross
10 section of educational, communications, cultural, scientific,
11 technical, public service, labor, business, and professional
12 backgrounds. Not more than four members shall be from any
13 one political party.

14 "(3) The term of each member shall be 3 years, except
15 that of the original seven appointments, two shall be for a
16 term of 1 year and two shall be for a term of 2 years.

17 "(4) Any member appointed to fill a vacancy occurring
18 before the expiration of the term for which a predecessor was
19 appointed shall be appointed for the remainder of such term.
20 Upon the expiration of a member's term of office, such
21 member may continue to serve until a successor is appointed
22 and qualified.

123 "(5) The President shall designate a member to chair
124 the Commission.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

115

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

17 "(b) STAFF.—The Commission shall have a staff direc-
18 tor who shall be appointed by the chairperson of the Commis-
19 sion. Subject to such rules and regulations as may be adopted
20 by the Commission, the chairperson of the Commission
21 may—

22 "(1) appoint such additional personnel for the staff
23 of the Commission as the chairperson considers neces-
24 sary; and

1 "(2) procure temporary and intermittent services
2 to the same extent as is authorized by section 3109(b)
3 of title 5, United States Code, but at rates for individ-
4 uals not to exceed the daily equivalent of the annual
5 rate of basic pay payable for grade GS-18 of the Gen-
6 eral Schedule under section 5332 of title 5, United
7 States Code.

8 "(c) DUTIES AND RESPONSIBILITIES.—The Commis-
9 sion shall formulate and recommend to the Director, the Sec-
10 retary of State, and the President policies and programs to
11 carry out the functions vested in the Director or the Agency,
12 and shall appraise the effectiveness of policies and programs
13 of the Agency. The Commission shall submit to the Con-
14 gress, the President, the Secretary of State, and the Director
15 annual reports on programs and activities carried out by the
16 Agency, including appraisals, where feasible, as to the effec-
17 tiveness of the several programs. The Commission shall also
18 include in such reports such recommendations as shall have
19 been made by the Commission to the Director for effectuating

25 "(b) STAFF.—The Commission shall have a staff direc-
26 tor who shall be appointed by the chairperson of the Commis-
1 sion. Subject to such rules and regulations as may be adopted
2 by the Commission, the chairperson of the Commission
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4 "(1) appoint such additional personnel for the
5 staff of the Commission as the chairperson considers
6 necessary; and

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9 of title 5, United States Code, but at rates for individ-
10 uals not to exceed the daily equivalent of the annual
11 rate of basic pay payable for grade GS-18 of the Gen-
12 eral Schedule under section 5332 of title 5, United
13 States Code.

14 "(c) DUTIES AND RESPONSIBILITIES.—(1) The Com-
15 mission shall formulate and recommend to the Director, the
16 Secretary of State, and the President policies and programs
17 to carry out the functions vested in the Director or the
18 Agency, and shall appraise the effectiveness of policies and
19 programs of the Agency.

20 "(2) The Commission shall submit to the Congress, the
21 President, the Secretary of State, and the Director annual
22 reports on programs and activities carried out by the Agency,
23 including appraisals, where feasible, as to the effectiveness of
24 the several programs. The Commission shall also include in

25 such reports such recommendations as shall have been made

20 the purposes of the Agency, and the action taken to carry out
21 such recommendations. The Commission may also submit
22 such other reports to the Congress as it considers appropri-
23 ate, and shall make reports to the public in the United States
24 and abroad to develop a better understanding of and support
25 for the programs conducted by the Agency. The Commis-
1 sion's reports to the Congress shall include assessments of
2 the degree to which the scholarly integrity and nonpolitical
3 character of the educational and cultural exchange activities
4 vested in the Director have been maintained, and assess-
5 ments of the attitudes of foreign scholars and governments
6 regarding such activities.

7 "(d) LIMITATION ON AUTHORITY.—The Commission
8 shall have no authority with respect to the Board of Foreign
9 Scholarships or the United States National Commission for
10 UNESCO."

11 (b) CONTINUED SERVICE OF MEMBERS OF COMMISS-
12 SION.—Members of the United States Advisory Commission
13 on Public Diplomacy as in existence on the day before the
14 effective date of the amendment made by subsection (a) shall
15 continue to serve for the remainder of the term to which each
16 such member was appointed.

17 (c) EFFECTIVE DATE.—The amendment made by sub-
18 section (a) shall take effect on the date of the enactment of
19 this Act.

73

1 by the Commission to the Director for effectuating the pur-
2 poses of the Agency, and the action taken to carry out such
3 recommendations.

4 "(3) The Commission may also submit such other re-
5 ports to the Congress as it considers appropriate, and shall
6 make reports to the public in the United States and abroad to
7 develop a better understanding of and support for the pro-
8 grams conducted by the Agency.

9 "(4) The Commission's reports to the Congress shall in-
10 clude assessments of the degree to which the scholarly integri-
11 ty and nonpolitical character of the educational and cultural
12 exchange activities vested in the Director have been main-
13 tained, and assessments of the attitudes of foreign scholars
14 and governments regarding such activities.

15 "(d) LIMITATION ON AUTHORITY.—The Commission
16 shall have no authority with respect to the J. William Ful-
17 bright Scholarship Board or the United States National
18 Commission for UNESCO."

19 (b) CONTINUED SERVICE OF MEMBERS OF COMMISS-
20 SION.—Members of the United States Advisory Commission
21 on Public Diplomacy as in existence on the day before the
22 date of enactment of this Act shall continue to serve for the
23 remainder of the term to which each such member was
24 appointed.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(17)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 SEC. 209. SENSE OF CONGRESS CONCERNING THE HUMPHREY
21 FELLOWSHIP PROGRAM.

22 It is the sense of the Congress that the United States
23 Information Agency should review the Humphrey Fellowship
24 Program and consider the feasibility of broadening the place-
25 ment of fellows under such program to the processes of the

1 United States Government in Washington, District of Colum-
2 bia, the United States Congress, and State and local govern-
3 mental processes.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

148

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 SEC. 113. THE J. WILLIAM FULBRIGHT SCHOLARSHIP BOARD.
22 (a) AMENDMENTS TO THE MUTUAL EDUCATIONAL
23 AND CULTURAL EXCHANGE ACT OF 1961.—(1) Section
24 106(a) of the Mutual Educational and Cultural Exchange
25 Act of 1961 (22 U.S.C. 2456(a)(1)) is amended in para-
26 graph (1), by striking out "Board of Foreign Scholarships"
1 and inserting in lieu thereof "board of foreign scholarships
2 which shall be known as the J. William Fulbright Scholar-
3 ship Board"; and
4 (2) Section 112 of such Act (22 U.S.C. 2460) is
5 amended—
6 (A) by redesignating subsections (b) and (c) as
7 subsections (c) and (d), respectively; and
8 (B) by inserting after subsection (a) the following
9 new subsection:
10 "(b)(1) All recipients of Fulbright Academic Exchange
11 and Humphrey Fellowship awards shall have full academic
12 and artistic freedom, including freedom to write, publish, and
13 create. No award granted pursuant to this Act may be re-
14 voked or diminished on account of the political views ex-
15 pressed by the recipient or on account of any scholarly or
16 artistic activity that would be subject to the protections of
17 academic and artistic freedom normally observed in universi-
18 ties in the United States. The Board shall ensure that the
19 academic and artistic freedoms of all persons receiving grants

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(149)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 *"(2) The J. William Fulbright Scholarship Board shall*
22 *formulate a policy on revocation of Fulbright grants which*
23 *shall be made known to all grantees. Such policy shall fully*
24 *protect the right to due process as well as the academic and*
25 *artistic freedom of all grantees."*

1 **(b) CONTINUED SERVICE OF MEMBERS OF BOARD,**
2 **OF FOREIGN SCHOLARSHIPS.**—Each member appointed to,
3 the Board of Foreign Scholarships before the date of the en-
4 actment of this Act shall, on and after such date, be consid-
5 ered to be a member appointed to the J. William Fulbright
6 Scholarship Board for the remainder of the term for which
7 such member was originally appointed.

8 **(c) REFERENCES IN LAW.**—Any reference in any pro-
9 vision of law to the Board of Foreign Scholarships shall, on
10 and after the date of enactment of this Act, be deemed to be a
11 reference to the J. William Fulbright Scholarship Board.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(150)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4 SEC. 210. REPORT TO CONGRESS CONCERNING EXPENDI-
5 TURES FOR WORLDNET.
6 Not later than 60 days after the date of the enactment
7 of this Act, the United States Information Agency shall pre-
8 pare and submit to the Congress a report which contains a
9 detailed explanation of prospective expenditures for Worldnet
10 for fiscal year 1990.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(15)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 211. GENERAL ACCOUNTING OFFICE STUDY OF THE NA-
12 TIONAL ENDOWMENT FOR DEMOCRACY.
13 (a) STUDY OF NED.—The Comptroller General of the
14 United States shall conduct a study of the operations of the
15 National Endowment for Democracy. Such study shall evalu-
16 ate—
17 (1) the programs and operations of the National
18 Endowment for Democracy;
19 (2) the effectiveness of the National Endowment
20 for Democracy in fulfilling its goals; and
21 (3) the management structure of the National En-
22 dowment for Democracy, including—
23 (A) an assessment of the present composition
24 of the board of directors; and
1 (B) the capability and effectiveness of the
2 board in providing objective oversight of the pro-
3 grams and operations of the National Endowment
4 for Democracy.
5 (b) REPORT TO CONGRESS.—Not later than one year
6 after the date of the enactment of this Act, the Comptroller
7 General of the United States shall prepare and submit a
8 report of the findings of such study to the Committee on For-
9 eign Affairs of the House of Representatives and the Com-
10 mittee on Foreign Relations of the Senate.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

152

11 SEC. 212. AUTHORITIES REGARDING EMPLOYMENT OF
12 ALIENS.
13 Section 804 of the United States Information and Edu-
14 cational Exchange Act of 1948 (22 U.S.C. 1474) is amended
15 in paragraph (1) by inserting "when job vacancies occur,"
16 after "available".

74
1 SEC. 211. FOREIGN LANGUAGE SERVICES.
2 Section 804(1) of the United States Information and
3 Educational Exchange Act of 1948 (22 U.S.C. 1474(1)) is
4 amended by inserting, "when job vacancies occur" after
5 "United States citizens are not available".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

153

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 213. DEBT COLLECTION.

18 Title VIII of the United States Information and Educa-
19 tional Exchange Act of 1948 (22 U.S.C. 1472 et seq.) is
20 amended by adding at the end thereof the following:

21 "SEC. 811. DEBT COLLECTION.

22 "(a) CONTRACT AUTHORITY.—(1) Subject to the avail-
23 ability of appropriations, the Director of the United States
24 Information Agency shall enter into contracts for collection
25 services to recover indebtedness owed by a person, other
1 than a foreign country, to the United States which arises out
2 of activities of the United States Information Agency and is
3 delinquent by more than 90 days.

4 "(2) Each contract entered into under this section shall
5 provide that the person with whom the Director enters into
6 such contract shall submit to the Director at least once each
7 180 days a status report on the success of the person in col-
8 lecting debts. Section 3718 of title 31, United States Code,
9 shall apply to any such contract to the extent that such sec-
10 tion is not inconsistent with this subsection.

11 "(b) DISCLOSURE OF DELINQUENT DEBT TO CREDIT
12 REPORTING AGENCIES.—The Director of the United States
13 Information Agency shall, to the extent otherwise allowed by
14 law, disclose to those credit reporting agencies to which the
15 Director reports loan activity information concerning any
16 debt of more than \$100 owed by a person, other than a for-
17 eign country, to the United States which arises out of activi-
18 ties of the United States Information Agency

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

137

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

12 SEC. 114. CITIZEN EXCHANGES.
13 Section 112 of the Mutual Educational and Cultural
14 Exchange Act of 1961 (22 U.S.C. 2460), as amended by
15 section 213(a)(2), is further amended by adding at the end
16 thereof the following new subsection:
17 "(e) There is established in the Bureau of Educational
18 and Cultural Affairs an Office of Citizen Exchanges. The
19 Office shall support private not-for-profit organizations en-
20 gaged in the exchange of persons, including youth, between
21 the United States and other countries."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

155

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 SEC. 113. UNITED STATES-SOVIET EXCHANGES.

23 The Mutual Educational and Cultural Exchange Act of
24 1961 is amended by adding at the end thereof the following
25 new section:

1 "SEC. 113. UNITED STATES-SOVIET EXCHANGES.—

2 (a) The President is authorized to negotiate and implement
3 an agreement with the Union of Soviet Socialist Republics
4 under which repayments made by the Soviet Union on Lend-
5 Lease debts to the United States would be used to finance the
6 exchange of persons between the United States and the
7 Soviet Union for educational, cultural, and artistic purposes.

8 Exchanges authorized by this section shall be administered
9 pursuant to the provisions of this Act. Part of the funds
10 repaid to the United States shall be in convertible currency
11 for the purpose of paying the expenses associated with study
12 and other exchange activities by Soviet citizens in the United
13 States.

14 (b) Funds made available for the purposes of this sec-
15 tion shall be available only to the extent and in the amounts
16 provided for in an appropriation Act."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(156)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 **TITLE XI—USIA TIBETAN**
7 **SCHOLARSHIPS**

8 SEC. 1101. USIA TIBETAN SCHOLARSHIPS.

9 Notwithstanding any other provision of this Act, the
10 United States Information Agency shall continue to promote
11 scholarships at United States universities for Tibetans living
12 in exile at at least the current level.

17 **SEC. 216. SCHOLARSHIPS FOR TIBETANS AND BURMESE.**

18 *Of the funds authorized to be appropriated in section*
19 *203(1), not less than 30 scholarships shall be made available*
20 *to Tibetan students and professionals who are outside Tibet,*
21 *and not less than 15 scholarships shall be made available to*
22 *Burmese students and professionals who are outside Burma.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(57)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 SEC. 21A AFGHANISTAN COUNTRY PLAN.

23 (a) MAINTENANCE OF PLAN.—The Director of the
24 United States Information Agency shall maintain a compre-
25 hensive country plan for Afghanistan, consistent with the
26 plan submitted to the Congress for fiscal year 1989.

1 (b) Not later than March 1, 1990, the Director of the
2 United States Information Agency shall submit to the Con-
3 gress a report describing the Afghanistan country plan and
4 including a specific outline on how that country plan will be
5 adapted for implementation inside a free Afghanistan.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

Q58

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20	PART B—TELEVISION BROADCASTING TO CUBA	14	TITLE VII—TELEVISION BROADCASTING TO	
21	SEC. 221. SHORT TITLE.	15	CUBA ACT	
22	This part may be cited as the "Television Broadcasting	16	SEC. 701. SHORT TITLE.	
23	to Cuba Act".	17	This title may be cited as the "Television Broadcasting	
24	SEC. 222. FINDINGS AND PURPOSES.	18	to Cuba Act".	
25	The Congress finds and declares that—	19	SEC. 702. FINDINGS; PURPOSES.	
1	(1) it is the policy of the United States to support	20	The Congress finds and declares—	
2	the right of the people of Cuba to seek, receive, and	21	(1) that it is the policy of the United States to	
3	impart information and ideas through any media and	22	support the right of the people of Cuba to seek, receive,	
4	regardless of frontiers, in accordance with article 19 of	23	and impart information and ideas through any media	
5	the Universal Declaration of Human Rights;	24	and regardless of frontiers, in accordance with article	
6	(2) consonant with this policy, television broad-	25	19 of the Universal Declaration of Human Rights;	
7	casting to Cuba may be effective in furthering the open	1	(2) that, consonant with this policy, television	
8	communication of accurate information and ideas to the	2	broadcasting to Cuba may be effective in furthering the	
9	people of Cuba and, in particular, information about	3	open communication of accurate information and ideas	
10	Cuba;	4	to the people of Cuba, in particular, information about	
11	(3) television broadcasting to Cuba, operated in a	5	Cuba;	
12	manner not inconsistent with the broad foreign policy	6	(3) that such broadcasting to Cuba, operated in a	
13	of the United States and in accordance with high pro-	7	manner not inconsistent with the broad foreign policy	
14	fessional standards, would be in the national interest;	8	of the United States and in accordance with high pro-	
15	(4) facilities broadcasting television programming	9	fessional standards, would be in the national interest;	
16	to Cuba must be operated in a manner consistent with	10	and	
17	applicable regulations of the Federal Communications	11	(4) that the Voice of America already broadcasts	
18	Commission, and must not affect the quality of domes-	12	to Cuba information that represents America, not any	
19	tic broadcast transmission or reception; and			
20	(5) the Voice of America's Radio Marti program			
21	already broadcasts to Cuba informati			

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

159

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 America, not any single segment of American society,
23 and includes a balanced and comprehensive projection
24 of significant American thought and institutions, but
25 there is a need for television broadcasts to Cuba which
1 provide news, commentary, and other information
2 about events in Cuba and elsewhere to promote the
3 cause of freedom in Cuba.

13 single segment of American society, and includes a bal-
14 anced and comprehensive projection of significant
15 American thought and institutions but that there is a
16 need for television broadcasts to Cuba which provide
17 news, commentary, and other information about events
18 in Cuba and elsewhere to promote the cause of freedom
19 in Cuba.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(16)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4 SEC. 223. TELEVISION BROADCASTING TO CUBA.

5 (a) TELEVISION BROADCASTING TO CUBA.—In order
6 to carry out the purposes set forth in section 222 and not-
7 withstanding the limitation of section 501 of the United
8 States Information and Educational Exchange Act of 1948
9 (22 U.S.C. 1461) with respect to the dissemination in the
10 United States of information prepared for dissemination
11 abroad to the extent such dissemination is inadvertent, the
12 United States Information Agency (hereafter in this part re-
13 ferred to as the "Agency") shall provide for the open commu-
14 nication of information and ideas through the use of television
15 broadcasting to Cuba. Television broadcasting to Cuba shall
16 serve as a consistently reliable and authoritative source of
17 accurate, objective, and comprehensive news.

18 (b) VOICE OF AMERICA STANDARDS.—Television
19 broadcasting to Cuba under this part shall be in accordance
20 with all Voice of America standards to ensure the broadcast
21 of programs which are objective, accurate, balanced, and
22 which present a variety of views.

23 (c) USIA TELEVISION MARTI.—Any program of
24 United States Government television broadcasts to Cuba au-

20 SEC. 703. ADDITIONAL FUNCTIONS OF THE UNITED STATES IN-
21 FORMATION AGENCY.

22 (a) AUTHORITY.—(1) In order to carry out the objec-
23 tives set forth in section 702, the United States Information
24 Agency (hereafter in this title referred to as the "Agency")
25 shall provide for the open communication of information and
1 ideas through the use of television broadcasting to Cuba. Tel-
2 evision broadcasting to Cuba shall serve as a consistently
3 reliable and authoritative source of accurate, objective, and
4 comprehensive news.

See opposite House Sec. 224

9 (b) STANDARDS.—Television broadcasting in accord-
10 ance with subsection (a) shall be in accordance with all Voice
11 of America standards to ensure the broadcast of programs
12 which are objective, accurate, balanced, and which present a
13 variety of views.

14 (c) DESIGNATION OF PROGRAM.—Any program of
15 United States Government television broadcasts to Cuba au-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(16)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

82

1 thorized by this section shall be designated "USIA Television
2 Marti Program".

3 (d) FREQUENCY ASSIGNMENT.—

4 (1) Subject to the Communications Act of 1934,
5 the Federal Communications Commission shall have
6 the authority to assign by order a suitable frequency to
7 further the national interests expressed by this Act,
8 except that no such assignment shall result in objec-
9 tionable interference with the broadcasts of any domes-
10 tic licensee.

11 (2) In furtherance of the purposes of paragraph
12 (1), the Federal Communications Commission may
13 modify the license or permit of a television broadcast
14 licensee or permittee. Notwithstanding any provision of
15 the Communications Act of 1934, no such order to
16 modify the license shall become final until the licensee
17 shall have been notified in writing of the proposed
18 action and the grounds and reasons therefor, and shall
19 have been given reasonable opportunity, in no event
20 less than 30 days, to show cause by public hearing, if
21 requested, why such modification should not issue.

22 (3) For purposes of section 305 of the Communi-
23 cations Act of 1934, a television broadcast station es-
24 tablished for purposes of this part shall be treated as a
25 government station, but the Federal Communications

16 thorized by this section shall be designated the "USIA Tele-
17 vision Marti program".

18 (d) USE OF SPECTRUM.—The Federal Communica-
19 tions Commission shall have the authority to allocate by
20 order the spectrum it determines to be the most practicable
21 and efficient to further the national interests expressed by
22 this title, except that no such allocation shall result in objec-
23 tionable interference (as applied under Federal Communica-
24 tions Commission rules), with the broadcasts of any incum-
25 bent domestic licensee, which interference cannot be eliminat-

1 ed through action taken pursuant to subsection (e)(2). This
2 spectrum shall be assigned in accordance with section 305 of
3 the Communications Act.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(162) - (165)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

83

1 Commission shall exercise the authority of the Presi-
2 dent under such section to assign a frequency to such
3 station.

4 (e) INTERFERENCE WITH DOMESTIC BROADCAST-
5 ING.—(1) Broadcasting by the Service shall be conducted in
6 accordance with such parameters as shall be prescribed by
7 the Federal Communications Commission to preclude objec-
8 tionable interference with the broadcasts of any domestic li-
9 censee. The Federal Communications Commission shall mon-
10 itor the operations of television broadcasting to Cuba pursu-
11 ant to section 227(e) of this Act. If, on the basis of a com-
12 plaint from any person, the Federal Communications Com-
13 mission determines, in its discretion, that broadcasting by the
14 Service is causing any objectionable interference with the
15 transmission or reception of the broadcasts of a domestic li-
16 censee, the Federal Communications Commission shall direct
17 the Service to cease broadcasting and to eliminate the objec-
18 tionable interference. Broadcasts by the Service shall not be
19 resumed until the Federal Communications Commission finds
20 that the objectionable interference has been eliminated and
21 will not recur.

22 (2) The Federal Communications Commission shall take
23 such actions as are necessary and appropriate to assist do-
24 mestic licensees in overcoming the adverse effects of objec-
25 tionable interference caused by broadcasting by the Service.

4 (e) INTERFERENCE WITH DOMESTIC BROADCAST-

5 ING.—

6 (1) Broadcasting by the Service shall be conduct-
7 ed in accordance with such parameters as shall be pre-
8 scribed by the Federal Communications Commission to
9 preclude objectionable interference with the broadcasts
10 of any incumbent domestic licensee. The Service shall
11 be governed by at least the same standards regarding
12 objectionable interference as any domestic licensee. The
13 Federal Communications Commission shall monitor
14 the operations of the Service. If, on the basis of such
15 monitoring or a complaint from any person, the Feder-
16 al Communications Commission determines (which de-
17 termination shall be made expeditiously) that broad-
18 castings by the Service are causing any objectionable
19 interference with the transmission or reception of any
20 domestic licensee, the Federal Communications Com-
21 mission shall expeditiously notify the National Tele-
22 communications and Information Administration. On
23 the basis of such notification, the National Telecom-
24 munications and Information Administration shall
25 take immediate action to eliminate the interference. If

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(166)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

84

1 Such assistance may include the authorization of nondirec-
2 tional increases in the effective radiated power of domestic
3 television stations so that its coverage is equivalent to the
4 maximum allowable for such facilities, to avoid any adverse
5 effect on such stations of the broadcasts of the Television
6 Marti Service.
7 (f) USIA AUTHORITY.—The Agency may carry out the
8 purposes of this part by means of grants, leases, or contracts
9 (subject to the availability of appropriations), or such other
10 means as the Agency determines will be most effective.

1 the interference cannot be eliminated within 72 hours
2 of the notification, then regular operation of the Serv-
3 ice shall be suspended and not resumed until the Fed-
4 eral Communications Commission determines that the
5 objectionable interference is eliminated.
6 (2) The Federal Communications Commission
7 shall take such actions as are necessary and appropri-
8 ate to assist domestic licensees in overcoming the ad-
9 verse effects of objectionable interference caused by
10 broadcasting by the Service. Such assistance may in-
11 clude the authorization of nondirectional increases in
12 the effective radiated power of domestic television sta-
13 tions so that its coverage is equivalent to the maximum
14 allowable for such facilities, to avoid any adverse effect
15 on such stations of the broadcasts of the Television
16 Marti Service.
17 (3) No Federal branch or agency shall compel an
18 incumbent domestic licensee to change its frequency in
19 order to eliminate objectionable interference caused by
20 broadcasting of the Service.
21 (f) MONITORING OF INTERFERENCE.—The Federal
22 Communications Commission shall continually monitor and
23 periodically report to the appropriate committees of the Con-
24 gress interference to domestic broadcast licensees—
1 (1) from the operation of Cuban television and
2 radio stations; and

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

167

HOUSE

ADMINISTRATION POSITION/NOTES

11 SEC. 224. TELEVISION MARTI SERVICE OF THE UNITED
12 STATES INFORMATION AGENCY.

13 (a) TELEVISION MARTI SERVICE.—The Director of the
14 United States Information Agency shall establish within the
15 Agency a Television Marti Service. The Service shall be re-
16 sponsible for all television broadcasts to Cuba authorized by
17 section 223. The Director of the United States Information
18 Agency shall appoint a head of the Service who shall report
19 directly to the Director. The head of the Service shall employ
20 such staff as the head of the Service may need to carry out
21 the duties of the Service. The Service shall be administered
22 separately from other television functions of the United
23 States Information Agency.

24 (b) USE OF EXISTING FACILITIES OF THE USIA.—To
25 assure consistency of presentation and efficiency of operations
1 in conducting the activities authorized under this part, the
2 Service shall make maximum feasible utilization of Agency
3 facilities and management support, including Voice of Amer-
4 ica: Radio Marti program, Voice of America, and the United
5 States Information Agency Television Service.

Sec. 103(a)

5 (2) The Director of the Agency shall establish within the
6 Agency a Television Marti Service (hereafter in this title re-
7 ferred to as the "Service"). The Service shall be responsible
8 for all television broadcasts authorized by this title.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

168

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 225. AMENDMENTS TO THE RADIO BROADCASTING TO
7 CUBA ACT.

8 (a) ADVISORY BOARD FOR CUBA BROADCASTING.—
9 Section 5 of the Radio Broadcasting to Cuba Act (22 U.S.C.
0 1465c) is amended—

1 (1) by amending the heading to read as follows:
2 "ADVISORY BOARD FOR CUBA BROADCASTING";
3
4 (2) by amending subsections (a) and (b) to read as
5 follows:

6 "(a) There is established within the Office of the Presi-
7 dent the Advisory Board for Cuba Broadcasting (hereafter in
8 this Act referred to as the 'Board'). The Board shall consist
9 of nine members, appointed by the President by and with the
10 advice and consent of the Senate, of whom not more than
11 five shall be members of the same political party. The Presi-
12 dent shall designate one member of the Board to serve as
13 chairperson.

14 "(b) The Board shall review the effectiveness of the ac-
15 tivities carried out under this Act and the Television Broad-
16 casting to Cuba Act and shall make recommendations to the
17 President and the Director and Associate Director

1 SEC. 707. ADVISORY BOARD FOR CUBA BROADCASTING.

2 (a) AMENDMENTS TO THE RADIO BROADCASTING TO
3 CUBA ACT.—Section 5 of the Radio Broadcasting to Cuba
4 Act (22 U.S.C. 1465c) is amended—

5 (1) by amending the section heading to read as
6 follows: "ADVISORY BOARD FOR CUBA BROADCAST-
7 ING";

8 (2) by amending subsections (a) and (b) to read
9 as follows:

10 "(a) There is established within the Office of the Presi-
11 dent the Advisory Board for Cuba Broadcasting (hereafter in
12 this title referred to as the 'Board'). The Board shall consist
13 of nine members, appointed by the President by and with the
14 advice and consent of the Senate, of whom not more than five
15 shall be members of the same political party. The President
16 shall designate one member of the Board to serve as
17 chairperson.

18 "(b) The Board shall review the effectiveness of the ac-
19 tivities carried out under this title and the Television Broad-
20 casting to Cuba Act and shall make recommendations to the

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

86

1 casting of the United States Information Agency as it may
2 consider necessary.";

3 (3) by amending subsection (d) to read as follows:

4 "(d) The head of the Cuba Service and the head of the
5 Television Marti Service shall serve, ex officio, as members
6 of the Board."; and

7 (4) in the last sentence of subsection (e) by strik-
8 ing "The ex officio member" and inserting "The ex of-
9 ficio members".

10 (b) REFERENCES.—A reference in any provision of law
11 to the "Advisory Board for Radio Broadcasting to Cuba"
12 shall be considered to be a reference to the "Advisory Board
13 for Cuba Broadcasting".

14 (c) CONTINUED SERVICE OF MEMBERS OF BOARD.—

15 Members of the Advisory Board for Radio Broadcasting to
16 Cuba as in existence on the day before the effective date of
17 the amendment made by subsection (a) shall continue to serve
18 for the remainder of the term to which each such member
19 was appointed as members of the Advisory Board for Cuba
20 Broadcasting.

21 (d) WAIVER.—Section 3 of the Radio Broadcasting to
22 Cuba Act (22 U.S.C. 1465a) is amended in the first sentence
23 by inserting before the comma "and notwithstanding the limi-
24 tation of section 501 of the United States Information and
25 Educational Exchange Act of 1948 with respect to the dis-

22 casting of the United States Information Agency as the
23 Board may consider necessary.";

24 (3) by amending subsection (d) to read as follows:

1 "(d) The head of the Cuba Service and the head of the
2 Television Marti Service shall serve, ex officio, as members
3 of the Board."; and

4 (4) in the last sentence of subsection (e) by strik-
5 ing out "The ex officio member" and inserting in lieu
6 thereof "The ex officio members".

7 (c) REFERENCES.—A reference in any provision of law
8 to the "Advisory Board for Radio Broadcasting to Cuba"
9 shall be considered to be a reference to the "Advisory Board
10 for Cuba Broadcasting".

11 (d) CONTINUED SERVICE OF MEMBERS OF

12 BOARD.—Members of the Advisory Board for Radio Broad-
13 casting to Cuba as in existence on the day before the effective
14 date of the amendment made by subsection (b) shall continue
15 to serve for the remainder of the term to which each such
16 member was appointed as members of the Advisory Board for
17 Cuba Broadcasting.

18 (e) WAIVER.—Section 3 of the Radio Broadcasting to
19 Cuba Act (22 U.S.C. 1465a) is amended in the first sen-
20 tence by inserting after "section 2" the following: "and not-
21 withstanding the limitation of section 501 of the United
22 States Information and Educational Exchange Act of 1948

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(1/2)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

87

1 semination in the United States of information prepared for
2 dissemination abroad to the extent such dissemination is
3 inadvertent".

4 (e) EFFECTIVE DATE.—The amendments made by sub-
5 sections (a) and (d) shall take effect on the date of the enact-
6 ment of this Act.

24 formation prepared for dissemination abroad to the extent
25 such dissemination is inadvertent".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

171

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 SEC. 226. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.

8 In order to assist the United States Information Agency
9 in carrying out the provisions of this part, any agency or
10 instrumentality of the United States may sell, loan, lease, or
11 grant property (including interests therein) and may perform
12 administrative and technical support and services at the re-
13 quest of the Agency.

5 SEC. 704. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.

6 In order to assist the United States Information Agency
7 in carrying out the provisions of this title, any agency or
8 instrumentality of the United States may sell, loan, lease, or
9 grant property (including interests therein) and may perform
10 administrative and technical support and services at the
11 request of the Agency.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

172

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 SEC. 227. FACILITY COMPENSATION.

15 (a) CLAIMS AGAINST CUBA.—It is the intent of the
16 Congress that the Secretary of State should seek prompt and
17 full settlement of United States claims against the Govern-
18 ment of Cuba arising from Cuban interference with television
19 and radio broadcasting in the United States. Pending the set-
20 tlement of these claims, it is appropriate to provide some
21 interim assistance to the United States broadcasters who are
22 adversely affected by Cuban television and radio interference
23 and who seek to assert their right to measures to counteract
24 the effects of such interference.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(73)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

88

1 (b) PAYMENTS TO UNITED STATES TELEVISION
2 BROADCAST LICENSEES.—The Agency may make payments
3 to the United States television and radio broadcast licensees
4 upon their application for expenses which they have incurred
5 before, on, or after the date of this Act in mitigating (1) the
6 effects of activities by the Government of Cuba which
7 directly interfere with the transmission or reception of broad-
8 casts by such licensees, and (2) the direct interference caused
9 by the transmission of television broadcasting to Cuba with
10 the transmission or reception of broadcasts by such licensees.
11 Such expenses shall be limited to the costs of equipment re-
12 placed (less depreciation) and associated technical, engineer-
13 ing, and other reasonable and prudent expenses.
14 (c) REGULATIONS.—The Federal Communications
15 Commission shall issue such regulations and establish such
16 procedures for carrying out this section as the Federal Com-
17 munications Commission finds appropriate. The Federal
18 Communications Commission shall ensure that such regula-
19 tions do not impose an undue burden on domestic licensees.
20 Such regulations shall be issued no later than 180 days after
21 the date of the enactment of this Act.
22 (d) AUTHORIZATION OF APPROPRIATIONS.—
23 (1) There are authorized to be appropriated to the
24 United States Information Agency \$5,000,000 for use

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(17)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

89

in compensating United States television and radio
broadcasting licensees pursuant to this section.

(2) When sums appropriated pursuant to para-
graph (1) have been expended, \$5,000,000 of such
other funds as are appropriated (after the date of en-
actment of this Act) to the United States Information
Agency shall be available for use in compensating
United States television and radio broadcasting licens-
ees pursuant to this section.

(3) Amounts appropriated or otherwise made
available under this section are authorized to be avail-
able until expended.

(e) MONITORING OF INTERFERENCE.—The Federal
Communications Commission shall continually monitor and
periodically report to the appropriate committees of the Con-
gress interference to domestic broadcast licensees—

(1) from the operation of Cuban television and
radio stations; and

(2) from the operations of the television broadcast-
ing to Cuba.

(f) TASK FORCE.—It is the sense of the Congress that
the President should establish a task force to analyze the
level of interference from the operation of Cuban television
and radio stations experienced by broadcasters in the United

90

States and to seek a practical political and technical solution
to this problem.

(g) EFFECTIVE DATE.—This section shall take effect
on October 1, 1989

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

179

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

5 SEC. 228. AUTHORIZATION OF APPROPRIATIONS.

6 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
7 tion to amounts under section 201, there are authorized to be
8 appropriated to the United States Information Agency,
9 \$16,000,000 for fiscal year 1990 and \$16,000,000 for fiscal
10 year 1991 for television broadcasting to Cuba in accordance
11 with the provisions of this part.

12 (b) LIMITATION.—

13 (1) Subject to paragraph (2), no funds authorized
14 to be appropriated under subsection (a) may be obligat-
15 ed or expended unless the President determines and
16 notifies the Congress that the test of television broad-
17 casting to Cuba (as authorized by title V of the De-
18 partments of Commerce, Justice, and State, the Judici-
19 ary, and Related Agencies Appropriations Act, 1989
20 (Public Law 100-459)) has demonstrated television
21 broadcasting to Cuba is feasible and will not interfere
22 with the broadcasts of licensees. The Federal Commu-
23 nications Commission shall furnish to the appropriate
24 committees of Congress all interim and final reports
25 and other appropriate documentation concerning objec-

12 SEC. 705. AUTHORIZATION OF APPROPRIATIONS.

13 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
14 tion to amounts available for such purposes under section
15 201, there are authorized to be appropriated to the United
16 States Information Agency \$16,000,000 for fiscal year 1990
17 for television broadcasting to Cuba in accordance with the
18 provisions of this title.

19 (b) LIMITATION.—

20 (1) Subject to paragraph (2), no funds authorized
21 to be appropriated under subsection (a) may be obligat-
22 ed or expended unless the President determines and no-
23 tifies the Speaker of the House of Representatives and
24 the chairman of the Committee on Foreign Relations of
25 the Senate that—

1 (A) the test of television broadcasting to
2 Cuba authorized by law has demonstrated televi-
3 sion broadcasting to Cuba is feasible; and

4 (B) television broadcasting to Cuba would
5 not cause objectionable interference with the
6 broadcasts of incumbent domestic licensees which
7 could not be eliminated through action taken pur-
8 suant to section 703(e)(2). The Federal Commu-
9 nications Commission shall furnish to the appro-
10 priate committees of Congress all interim and
11 final reports and other appropriate documentation

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

176

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

91

1 tionable interference from television broadcasting to
2 Cuba to domestic television licensees.

3 (2) Not less than 30 days before the President
4 makes the determination under paragraph (1), the
5 President shall submit a report to the Congress which
6 includes the findings of the test of television broadcast-
7 ing to Cuba.

8 (c) AVAILABILITY.—Amounts appropriated under this
9 section are authorized to be made available until expended.

12 concerning objectionable interference from televi-
13 sion broadcasting to Cuba to domestic television
14 licensees.

15 (2) Not less than 30 days before the President
16 makes the determination under paragraph (1), the
17 President shall submit to the Congress a report which
18 includes the findings of the test of television broadcast-
19 ing to Cuba. The period for the test of television broad-
20 casting may be extended until—

21 (A) the date of the determination and notifi-
22 cation by the President under paragraph (1), or

23 (B) 30 days,
24 whichever comes first.

1 (3) For purposes of paragraph (1)(A), the phrase
2 "test of television broadcasting to Cuba authorized by
3 law" refers to the test authorized by the first proviso
4 under the heading "Radio Construction" of title V of
5 the Departments of Commerce, Justice, and State, the
6 Judiciary, and Related Agencies Appropriations Act,
7 1989 (Public Law 100-459).

8 (c) AVAILABILITY.—Amounts appropriated under this
9 section are authorized to be made available until expended.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

17

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 SEC. 229. DEFINITIONS.

11 As used in this part—

12 (1) the term "licensee" has the meaning provided
13 in section 3(c) of the Communications Act of 1934;

14 (2) the term "appropriate committees of Con-
15 gress" includes the House Foreign Affairs Committee,
16 the House Energy and Commerce Committee, the
17 Senate Committee on Foreign Relations, and the
18 Senate Committee on Commerce, Science, and Trans-
19 portation; and

20 (3) the term "Service" means the Television
21 Marti Service established pursuant to section 224(a) of
22 this Act.

10 SEC. 705. DEFINITIONS.

11 As used in this title—

12 (1) the term "incumbent domestic licensee" means
13 a licensee as provided in section 3(c) of the Communi-
14 cations Act of 1934 that was broadcasting a television
15 signal as of January 1, 1989;

16 (2) the term "appropriate committees of Congress"
17 includes the Foreign Affairs Committee and the
18 Energy and Commerce Committee of the House of
19 Representatives and the Committee on Foreign Rela-
20 tions and the Committee on Commerce, Science, and
21 Transportation of the Senate; and

22 (3) the term "Service" means the Television
23 Marti Service established pursuant to section 703 of
24 this title.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

(178)

92

TITLE III—VOICE OF AMERICA

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

In addition to the amounts authorized to be appropriated under title II, the following amounts are authorized to be appropriated for the Voice of America for carrying out title V of the United States Information and Educational Exchange Act of 1948 and the Radio Broadcasting to Cuba Act:

(1) SALARIES AND EXPENSES.—For "Salaries and Expenses", \$170,235,000 for the fiscal year 1990 and \$177,044,000 for the fiscal year 1991.

(2) ACQUISITION AND CONSTRUCTION OF RADIO FACILITIES.—For "Acquisition and Construction of Radio Facilities", \$65,000,000 for the fiscal year 1990 and \$126,000,000 for the fiscal year 1991.

(3) RADIO BROADCASTING TO CUBA.—For "Radio Broadcasting to Cuba", \$12,700,000 for the fiscal year 1990 and \$13,208,000 for the fiscal year 1991.

SEC. 302. VOICE OF AMERICA.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated by section 201,

there are authorized to be appropriated \$183,924,000 for

fiscal year 1990 to the Voice of America for the purpose of

carrying out title V of the United States Information and

Educational Exchange Act of 1948 and the Radio Broad-

casting to Cuba Act.

(b) ALLOCATION OF FUNDS.—Of the funds authorized

to be appropriated by this section, \$12,700,000 are author-

ized to be appropriated for the "Voice of America: Cuba

Service".

(c) RADIO CONSTRUCTION.—In addition to the funds

authorized to be appropriated to the United States Informa-

tion Agency by subsection (a), there are authorized to be ap-

propriated \$71,000,000 for radio construction.

(Byrd-Holifield)

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(17)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 SEC. 302. VOICE OF AMERICA EQUIPMENT ABROAD.

21 It is the sense of the Congress that the United States
22 Information Agency and the Voice of America shall take
23 every step necessary to ensure that existing Voice of Amer-
24 ica equipment abroad is properly maintained and enhanced to
25 prevent deterioration.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(140)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATIVE POSITION/NOTES

14 SEC. 200. VOICE OF AMERICA HIRING PRACTICES.

15 Title V of the United States Information and Educa-
16 tional Exchange Act of 1948 is amended by adding at the
17 end thereof the following new section:

18 "SEC. 500. VOICE OF AMERICA HIRING PRACTICES.

19 "(a) PROHIBITION.—After the date of enactment of this
20 section, the Voice of America shall not select candidates for
21 employment who must be or are preapproved for employment
22 at the Voice of America by a foreign government or an entity
23 controlled by a foreign government.

24 "(b) EXCEPTION.—The prohibition referred to in this
25 section shall not apply to—

1 "(1) participants in the Voice of America's ex-
2 change programs; or

3 "(2) clerical, technical, or maintenance staff at
4 Voice of America offices in foreign countries.

5 "(c) REPORT.—In the event the Director of the United
6 States Information Agency determines that the prohibition
7 referred to in subsection (a) would require the discontinu-
8 ation of a specific Voice of America foreign language service,
9 then, not less than 90 days before the agency commences re-
10 cruitment of such candidates, the Director shall submit to the
11 chairmen of the Committee on Foreign Relations of the
12 Senate and the Committee on Foreign Affairs of the House
13 of Representatives, a report on—

14 "(1) the number and location of speakers of that

"(2) the efforts made by the Voice of America to

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(S)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

78

1 SEC. 217. VOA PUBLIC SERVICE ANNOUNCEMENTS TO PROMOTE

2 CHILD SURVIVAL

3 The United States Information Agency shall establish

4 and maintain through the Voice of America a system of inter-

5 national public service announcements focusing on child

6 survival techniques.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(182)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 SEC. 218. VOICE OF AMERICA BROADCASTS TO TIBET.
8 (a) ESTABLISHMENT OF SERVICE.—Not later than 60
9 days after the date of enactment of this Act, the Director of
10 the United States Information Agency shall establish, from
11 funds appropriated to the Voice of America, a service to pro-
12 vide Voice of America Tibetan language programming to the
13 people of Tibet.
14 (b) AMOUNT OF PROGRAMMING.—Programming
15 broadcasts to the people of Tibet pursuant to this section shall
16 occur for not less than two hours each calendar day.
17 (c) REPORT.—Not later than 60 days after the date of
18 enactment of this Act, the Director of the United States In-
19 formation Agency shall submit to the Congress a comprehen-
20 sive written report detailing the implementation of the pro-
21 gramming provided for in this section.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(182)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 210. DISTRIBUTION WITHIN THE UNITED STATES OF
7 UNITED STATES INFORMATION AGENCY FILM EN-
8 TITLED "LONG JOURNEY HOME".
9 Notwithstanding section 208 of the Foreign Relations
10 Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C.
11 1461-1(a)) and the second sentence of section 501 of the
12 United States Information and Education Exchange Act of
13 1948 (22 U.S.C. 1461)—
14 (1) the Director of the United States Information
15 Agency shall make available to the Archivist of the
16 United States a master copy of the film entitled "Long
17 Journey Home"; and
18 (2) upon evidence that necessary United States
19 rights and licenses have been secured and paid for by
20 the person seeking domestic release of the film, the
21 Archivist shall—
22 (A) reimburse the Director for any expenses
23 of the Agency in making that master copy avail-
24 able;
25 (B) deposit that film in the National Ar-
26 chives of the United States; and
27 (C) make copies of that film available for
28 purchase and public viewing within the United
29 States.
30 Any reimbursement to the Director pursuant to this section
31 shall be credited to the applicable appropriation of the United

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

187

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 SEC. 211. VOICE OF AMERICA'S THAILAND RADIO FACILITIES.
10 The Director of the United States Information Agency
11 may enter into a contract for the construction of the Voice of
12 America's Thailand radio facilities for periods not in excess
13 of 5 years or delegate such authority to the Corps of Engi-
14 neers of the United States Department of the Army: Provided:
15 ed, That there are sufficient funds to cover at least the Gov-
16 ernment's liability for payments for the fiscal year in which
17 the contract is awarded plus the full amount of estimated
18 cancellation costs.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(85)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

19 SEC. 212. VOICE OF AMERICA BROADCASTS TO THE PEOPLE'S
20 REPUBLIC OF CHINA.
21 For fiscal year 1990, the Voice of America shall broad-
22 cast its programs not less than 12 hours each day into the
23 People's Republic of China.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(25)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

**TITLE IV—BOARD FOR
INTERNATIONAL BROADCASTING****SEC. 401. AUTHORIZATIONS OF APPROPRIATIONS.**

(a) AMENDMENT TO BOARD FOR INTERNATIONAL BROADCASTING ACT OF 1973.—Subparagraph (A) of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)(1)) is amended to read as follows:

“(A) \$190,330,000 for the fiscal year 1990 and \$197,943,000 for the fiscal year 1991; and”.

(b) RADIO TRANSMITTER CONSTRUCTION AND MODERNIZATION.—There is authorized to be appropriated to the Board for International Broadcasting for radio transmitter construction and modernization \$27,845,000 for the fiscal year 1990. Amounts appropriated under this subsection are authorized to remain available until expended.

(c) BROADCASTING RELAY STATION IN ISRAEL.—

(1) There is authorized to be appropriated to the Board for International Broadcasting for the costs associated with construction of a relay station in Israel, \$194,000,000 for the fiscal year 1990 and \$13,000,000 for the fiscal year 1991. Amounts appropriated under this subsection are authorized to remain available until expended.

**TITLE III—BOARD FOR INTERNATIONAL
BROADCASTING****SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—Clause (A) of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877) is amended to read as follows:

“(A) \$180,330,000 fiscal year 1990; and”.

(b) RADIO TRANSMITTER CONSTRUCTION AND MODERNIZATION.—Section 8(a) of such Act (22 U.S.C. 2877) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

“(3) There are authorized to be appropriated to the Board for International Broadcasting for radio transmitter construction and modernization \$28,917,000 for fiscal year 1990.”.

(c) FULL FUNDING FOR CONSTRUCTION OF RELAY STATION IN ISRAEL.—(1) There are authorized to be appropriated to the Board for International Broadcasting for the costs associated with construction of a relay station in Israel, \$194,000,000 for fiscal year 1990.

(2) Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(18)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (2) To the extent not precluded by the interna-
2 tional agreement with the host foreign country of June
3 18, 1987, not less than 10 percent of the amounts
4 which are authorized to be appropriated under para-
5 graph (1), and which are available for contracts with
6 United States contractors, shall be made available only
7 for contracts and subcontracts with economically and
8 socially disadvantaged enterprises (within the meaning
9 of section 133(c)(5) of the International Development
10 and Food Assistance Act of 1977).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

188

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 402. PROCUREMENT OF LEGAL SERVICES.

12 Section 26 of the State Department Basic Authorities
13 Act of 1956 (22 U.S.C. 2698) is amended in subsection (b) by
14 inserting "the chairman of the Board for International
15 Broadcasting," after "Communication Agency".

82

1 SEC. 402. PROCUREMENT OF LEGAL SERVICES.

2 Section 26(b) of the State Department Basic Authori-
3 ties Act of 1956 (22 U.S.C. 2698) is amended by striking
4 out "International Communication Agency" and inserting in
5 lieu thereof "United States Information Agency, the chair-
6 man of the Board for International Broadcasting,".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

189

HOUSE

ADMINISTRATION POSITION/NOTES

16 SEC. 403. REQUIREMENT FOR AUTHORIZATION OF APPRO-
17 PRIATIONS.

18 (a) LIMITATION ON OBLIGATION AND EXPENDITURE
19 OF FUNDS.—Notwithstanding any other provision of law, for
20 fiscal year 1990 and for each subsequent fiscal year, any
21 funds appropriated for the Board for International Broadcast-
22 ing shall not be available for obligation or expenditure—

23 (1) unless such funds are appropriated pursuant to
24 an authorization of appropriations; or
1 (2) in excess of the authorized level of appru-
2 priations.

3 (b) SUBSEQUENT AUTHORIZATION.—The limitation
4 under subsection (a) shall not apply to the extent that an
5 authorization of appropriations is enacted after such funds are
6 appropriated.

7 (c) APPLICATION.—The provisions of this section—
8 (1) may not be superceded, except by a provision
9 of law which specifically repeals, modifies, or super-
10 sedes the provisions of this section; and

11 (2) shall not apply to, or affect in any manner,
12 permanent appropriations, trust funds, and other simi-
13 lar accounts which are authorized by law and adminis-
14 tered by the Board for International Broadcasting.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

190

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 SEC. 161. RADIO FREE AFGHANISTAN.

8 Section 2(5) of the Board for International Broadcast-
9 ing Act of 1973 (22 U.S.C. 2871(5)) is amended by striking
10 out "(as long as it is under Soviet occupation)" and inserting
11 therein "(until the government in Kabul is replaced by a
12 government achieved through a free act of self-determina-
13 tion)".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

191

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

15 TITLE V—ASIA FOUNDATION

16 SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

17 Section 404 of The Asia Foundation Act (22 U.S.C.
18 4403) is amended to read as follows:

19 "SEC. 404. FUNDING.

20 "(a) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to the Secretary of State
22 \$16,200,000 for the fiscal year 1990 and \$16,848,000 for
23 the fiscal year 1991 for grants to The Asia Foundation pur-
24 suant to this title.

1 "(b) ALLOCATION OF FUNDS.—Of amounts authorized
2 to be appropriated under subsection (a), \$2,500,000 for the
3 fiscal year 1990 and \$2,500,000 for the fiscal year 1991
4 shall be available only for the expansion of programs and
5 services (including the establishment of a field office) for
6 Oceania comprised of Polynesia, Micronesia, and
7 Melanesia."

12 SEC. 105. THE ASIA FOUNDATION AND OTHER PROGRAMS.

13 (a) THE ASIA FOUNDATION.—(1) Section 404 of The
14 Asia Foundation Act (22 U.S.C. 4403) is amended to read
15 as follows:

16 "SEC. 404. There are authorized to be appropriated to
17 the Secretary of State \$18,000,000 for fiscal year 1990 for
18 grants to The Asia Foundation pursuant to this title."

19 (2) The amendment made by paragraph (1) shall take
20 effect on October 1, 1989.

(142)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

8 **TITLE VI—INTERNATIONAL**
9 **ORGANIZATIONS**

10 SEC. 601. REFORM IN BUDGET DECISIONMAKING PROCE-
11 DURES OF THE UNITED NATIONS AND ITS SPE-
12 CIALIZED AGENCIES.

13 (a) FINDINGS.—(1) The United Nations and its special-
14 ized agencies have made progress in the formulation and im-
15 plementation of budget reforms as called for by section 143 of
16 the Foreign Relations Authorization Act, Fiscal Years 1986
17 and 1987 (Public Law 99-93). Presidential determinations
18 that were required by that and other laws confirm the
19 progress that has been made in this respect.

20 (2) The Congress remains concerned about the need to
21 make further progress to protect the independence of the
22 international civil service working at the United Nations and
23 urges the President to make vigorous efforts to this end.

24 (b) FINANCIAL RESPONSIBILITY IN BUDGET PROCE-
25 DURES.—To assure financial responsibility in preparation of
1 the assessed budgets of the United Nations and its specialized
2 agencies, it is the sense of Congress that the President should
3 continue vigorous efforts to ensure continued implementation
4 by the United Nations and its specialized agencies of deci-
5 sionmaking procedures on budgetary matters which assure
6 that sufficient attention is paid to the views of the United
7 States and other member states who are major financial con-
8 tributors to such assessed budgets.

14 **TITLE IV—INTERNATIONAL ORGANIZATIONS**

1 SEC. 402. REFORM IN BUDGET DECISION-MAKING PROCEDURES
2 OF THE UNITED NATIONS AND ITS SPECIALIZED
3 AGENCIES.

4 (a) FINDINGS.—(1) The United Nations and its spe-
5 cialized agencies have made progress in the formulation and
6 implementation of budget reforms as called for by section 143
7 of the Foreign Relations Authorization Act, Fiscal Years
8 1986 and 1987 (Public Law 99-93). Presidential determi-
9 nations that were required by that and other laws confirm the
10 progress that has been made in this respect.

11 (2) The Congress remains concerned about the need to
12 make further progress to protect the independence of the inter-
13 national civil service working at the United Nations and
14 urges the President to make vigorous efforts to this end.

15 (3) The Congress is specifically concerned with the
16 practice of reserving certain professional staff slots in the
17 United Nations Secretariat for nationals of certain member
18 states, and urges the President to vigorously pursue a pro-
19 gram of regular rotation in these staff positions among all
20 member states of the United Nations.

21 (b) FINANCIAL RESPONSIBILITY IN BUDGET PROCE-
22 DURES.—To assure financial responsibility in preparation
23 of the assessed budgets of the United Nations and its special-
24 ized agencies, it is the sense of the Congress that the Presi-
25 dent should continue vigorous efforts to ensure continued im-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

193

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9	(c) LIMITATION ON ASSESSED CONTRIBUTIONS.—	1	<i>cies of consensus-based decision-making procedures where</i>	
10	(1) For assessed contributions authorized to be ap-	2	<i>applicable on budgetary matters which assure that sufficient</i>	
11	propriated by this Act, the President shall withhold 20	3	<i>attention is paid to the views of the United States and other</i>	
12	percent of funds appropriated for the United States as-	4	<i>member states who are major financial contributors to such</i>	
13	essed contribution to the United Nations or to any of	5	<i>assessed budgets.</i>	
14	its specialized agencies for any calendar year until	6	(c) LIMITATION ON ASSESSED CONTRIBUTIONS.—	
15	after such time as the President determines and reports	7	(1) For assessed contributions authorized to be ap-	
16	to Congress that the United Nations or any such	8	propriated by this Act, the President shall withhold 20	
17	agency—	9	percent of the funds appropriated for the United States	
18	(A) has continued implementation of decision-	10	assessed contribution to the United Nations or to any	
19	making procedures on budgetary matters referred	11	of its specialized agencies for any calendar year until	
20	to in subsection (b); and in the case of the United	12	the President determines and reports to the Congress	
21	Nations,	13	that the United Nations or any such agency—	
22	(B) is making further progress toward the	14	(A) has continued implementation of deci-	
23	elimination of the abuse of secondment in the	15	sion-making procedures on budgetary matters re-	
24	United Nations Secretariat which undermines the	16	ferred to in subsection (b); and	
25	independence of the international civil service; and	17	(B) in the case of the United Nations—	
1	(C) is implementing the 15 percent reduction	18	(i) is making further progress toward	
2	in the staff of the United Nations Secretariat (rec-	19	the elimination of the abuse of secondment in	
3	ommendation 15 of the Group of High Level	20	the United Nations Secretariat which under-	
4	Intergovernmental Experts to Review the Effi-	21	mines the independence of the international	
5	ciency of the Administrative and Financial Func-	22	civil service; and	
6	tioning of the United Nations (Group of 18) and	23	(ii) is implementing the 15 percent re-	
7	that such reduction is being equitably applied	24	duction in the staff of the United Nations	
8	among the nationals on such staff.	25	Secretariat (recommendation 15 of the	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(14)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 (2) The President shall notify the Congress when
10 every such determination is made. Such notification
11 shall include an appropriate consultation between the
12 President or his designated representative and the
13 Committee on Foreign Affairs in the House of Repre-
14 sentatives, the Committee on Foreign Relations in the
15 Senate, and the appropriations subcommittees of juris-
16 diction in both Houses of Congress.

17 (d) LIMITATION ON PAYMENT OF ASSESSED CONTRI-
18 BUTIONS FOR PRIOR YEARS.—(1) Subject to paragraph (2),
19 of amounts authorized to be appropriated by this Act for
20 fiscal years 1990 and 1991, payment may be made to the
21 United Nations or to any of its specialized agencies for as-
22 sessed contributions for calendar years prior to 1989 only for
23 purposes jointly agreed to by the President and the United
24 Nations or any of its specialized agencies, as may be appro-
25 priate. Prior to making any such payment, the President or
1 his designated representative shall report to the Committee
2 on Foreign Affairs of the House of Representatives and the
3 Committee on Foreign Relations of the Senate and the ap-
4 propriations subcommittees of jurisdiction in each House of
5 Congress concerning the purposes jointly agreed to by the
6 President and the United Nations.

1 *Group of High Level Intergovernmental Ex-*
2 *perts to Review the Efficiency of the Admin-*
3 *istrative and Financial Functioning of the*
4 *United Nations (Group of 18)) and that*
5 *such reduction is being equitably applied*
6 *among the nationals on such staff.*

7 (2) The President shall notify the Congress when
8 each such determination is made. Each such notifica-
9 tion shall include appropriate consultation between the
10 President or his designated representative and the
11 Committee on Foreign Affairs of the House of Repre-
12 sentatives, the Committee on Foreign Relations of the
13 Senate, and the appropriations subcommittees of juris-
14 diction in both Houses of Congress.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

143

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 (2)(A) Except as provided in subparagraph (B), none of
8 the funds made available pursuant to paragraph (1) may be
9 obligated or expended during any period for which any indi-
10 vidual, who has been expelled from another country for en-
11 gaging in activities inconsistent with their diplomatic status,
12 is admitted to the United States and accredited to serve as a
13 representative to the United Nations.

14 (B) The President may waive the provisions of subpara-
15 graph (A) if the President determines, and so notifies the
16 Congress, that such a waiver is in the national security inter-
17 ests of the United States.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

196

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

18 SEC. 602. UNITED STATES MEMBERSHIP IN INTERNATIONAL
19 SUGAR ORGANIZATION AND INTERNATIONAL
20 TROPICAL TIMBER ORGANIZATION.

21 (a) UNITED STATES MEMBERSHIP.—The President is
22 authorized to maintain membership of the United States in
23 the International Sugar Organization and the International
24 Tropical Timber Organization.

1 (b) PAYMENT OF ASSESSED CONTRIBUTIONS.—For
2 fiscal year 1991 and for each fiscal year thereafter, the
3 United States assessed contributions to such organizations
4 may be paid from funds appropriated for "Contributions to
5 International Organizations".

15 SEC. 601. UNITED STATES MEMBERSHIP IN INTERNATIONAL

16 SUGAR ORGANIZATION.

17 The President is authorized to continue membership for
18 the United States in the International Sugar Organization.
19 Beginning in fiscal year 1991 and for each fiscal year there-
20 after, the United States-assessed contributions to such orga-
21 nization may be paid from funds appropriated to the Depart-
22 ment of State under the heading "Contributions to Interna-
23 tional Organizations".

14 SEC. 611. AUTHORIZATION FOR MEMBERSHIP IN THE INTERNA-
15 TIONAL TROPICAL TIMBER ORGANIZATION.

16 The President is authorized to maintain membership
17 of the United States in the International Tropical Timber
18 Organization (ITTO).

19 SEC. 612. AUTHORIZATION FOR MEMBERSHIP IN THE INTERNA-
20 TIONAL UNION FOR THE CONSERVATION OF
21 NATURE AND NATURAL RESOURCES.

22 The President is authorized to maintain membership of
23 the United States in the International Union for the Conser-
24 vation of Nature and Natural Resources (IUCN).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(197)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 602. CONTRIBUTION TO THE REGULAR BUDGET OF THE
7 INTERNATIONAL COMMITTEE OF THE RED
8 CROSS.
9 Section 742 of the Foreign Relations Authorization Act,
10 Fiscal Years 1988 and 1989 (Public Law 100-204) is
11 amended by striking subsection (a).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

(178)

12 SEC. 604. INTERNATIONAL BOUNDARY AND WATER COM-
13 MISSION.

14 (a) AUTHORIZED ACTIVITIES.—Section 103 of the
15 American-Mexican Treaty Act of 1950 (22 U.S.C. 277d-3)
16 is amended by inserting "official entertainment and other
17 representation expenses within the United States for the
18 United States section;" after "guard purposes;"

19 (b) EXPENDITURES FOR BOUNDARY SANITATION
20 PROBLEMS.—Title I of the Departments of State and Jus-
21 tice, the Judiciary, and Related Agencies Appropriation Act,
22 1957 (22 U.S.C. 277d-12) is amended under the heading
23 "International Boundary and Water Commission, United
24 States and Mexico" in the fourth paragraph by striking all
25 after "flood control" and inserting "or sanitation works
1 threatened or destroyed by flood waters of the Rio Grande,
2 Colorado, and Tijuana Rivers; and for taking emergency ac-
3 tions to protect against health threatening sanitation prob-
4 lems by repairing or replacing existing capital infrastructure
5 along the United States-Mexico Boundary."

6 (c) OTHER BOUNDARY WATER AUTHORITIES.—An
7 Act entitled "An Act providing for a study regarding the
8 equitable use of the waters of the Rio Grande below Fort
9 Quitman, Texas, in cooperation with the United States of
10 Mexico" (22 U.S.C. 277-277f) is amended—

11 (1) in section 2 (22 U.S.C. 277a) by inserting
12 "drainage of transboundary storm waters, and" after
13 "stabilization and"; and

6 SEC. 118. INTERNATIONAL BOUNDARY AND WATER COM-
7 MISSION.

8 (a) AUTHORIZATION.—Title I of the Act of June 20,
9 1956 (70 Stat. 302; 22 U.S.C. 277d-12), is amended in the
10 fourth undesignated paragraph under the heading "INTER-
11 NATIONAL BOUNDARY AND WATER COMMISSION, UNITED
12 STATES AND MEXICO"—

13 (1) by inserting "or sanitation" after "flood con-
14 trol"; and

15 (2) by inserting before the period at the end there-
16 of the following: "the Colorado or Tijuana Rivers,
17 and for taking emergency actions to protect against
18 health threatening sanitation problems by repairing or
19 replacing existing capital infrastructure along the
20 United States-Mexico Boundary".

21 (b) RESTRICTIONS.—The Act of May 13, 1924, as
22 amended (49 Stat. 660; 22 U.S.C. 277-277f), is
23 amended—

24 (1) in section 3 (22 U.S.C. 277b) by—

25 (A) by inserting "(1)" after "authorized";

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

(179)

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 (2) in section 3 (22 U.S.C. 277b)—
 15 (A) by inserting "(1)" after "authorized";
 16 (B) by striking out "and (b)" and inserting
 17 "(2)";
 18 (C) by inserting before the period "; and (3)
 19 to carry out preliminary surveys, operations, and
 20 maintenance of the interceptor system constructed
 21 to intercept sewage flows from Tijuana and from
 22 selected canyon areas"; and
 23 (D) by adding after subsection (a) the follow-
 24 ing new subsections:

1 "(b) Expenditures for the Rio Grande bank protection
 2 project shall be subject to the provisions and conditions con-
 3 tained in the appropriation for such project as provided by the
 4 Act approved April 25, 1945 (59 Stat. 89).
 5 "(c) The Anzalduas diversion dam shall not be operated
 6 for irrigation or water supply purposes in the United States
 7 unless suitable arrangements have been made with the pro-
 8 spective water users for repayment to the Federal Govern-
 9 ment of such portions of the dam as are allocated to such
 10 purposes by the Secretary of State."

1 (B) by striking out "and (b)" and inserting
 2 in lieu thereof "(2)";
 3 (C) by inserting before the period at the end
 4 thereof the following: "; and (3) to carry out pre-
 5 liminary surveys, operations, and maintenance of
 6 the interceptor system constructed to intercept
 7 sewage flows from Tijuana from selected canyon
 8 areas"; and
 9 (D) by adding at the end thereof the follow-
 10 ing new subsections:
 11 "(b) Expenditures for the Rio Grande bank protection
 12 project shall be subject to the provisions and conditions made
 13 with respect to that project in the first undesignated para-
 14 graph under the heading 'INTERNATIONAL OBLIGATIONS'
 15 contained in the Act of April 25, 1945 (59 Stat. 89).
 16 "(c) The Anzalduas diversion dam shall not be operated
 17 for irrigation or water supply purposes in the United States
 18 unless suitable arrangements have been made with the pro-
 19 spective water users for repayment to the Government of the
 20 United States for such portions of the dam as shall have been
 21 allocated to such purposes by the Secretary of State."; and
 22 (2) in section 2 (49 Stat. 660; 22 U.S.C. 277a)
 23 by striking out "and stabilization" and inserting in
 24 lieu thereof "stabilization, drainage of transboundary
 25 storm waters,"

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

160

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 605. SENSE OF CONGRESS CONCERNING THE UNITED NA-
12 TIONS RELIEF AND WORKS AGENCY FOR PAL-
13 ESTINIAN REFUGEES IN THE NEAR EAST
14 (UNRWA).

15 (a) SENSE OF CONGRESS.—It is the sense of the Con-
16 gress that—

17 (1) international burdensharing of the costs of the
18 United Nations Relief and Works Agency for Palestini-
19 an Refugees in the Near East (UNRWA) is crucial to
20 the survival of such organization;

21 (2) the Secretary of State should redouble the ef-
22 forts of the Department of State to promote interna-
23 tional burdensharing of the costs of UNRWA's oper-
24 ations; and

1 (3) regular and substantial contributions by the
2 Arab states to the budget of the United Nations Relief
3 and Works Agency for Palestinian Refugees in the
4 Near East would reflect the commitment of Arab
5 states to a peaceful political settlement in the Middle
6 East.

7 (b) REPORT TO CONGRESS.—The Secretary of State
8 shall prepare and submit a report on progress being made to
9 promote international burdensharing of the costs of the
10 United Nations Relief and Works Agency for Palestinian
11 Refugees in the Near East (UNRWA) to the Committee on
12 Foreign Affairs of the House of Representatives and the
13 Committee on Foreign Relations of the Senate

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(24)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 SEC. 606. REPORT ON UNITED NATIONS EDUCATIONAL, SCIEN-
15 TIFIC, AND CULTURAL ORGANIZATION.
16 Not later than 30 days after the date of the enactment
17 of this Act, the Secretary of State shall prepare and submit a
18 report on the activities after December 31, 1984, of the
19 United Nations Educational, Scientific, and Cultural Organi-
20 zation.

4 SEC. 404. POLICY ON UNESCO.
5 (a) CONGRESSIONAL FINDINGS.—The Congress finds
6 that—
7 (1) the United States withdrew from the United
8 Nations Educational, Scientific and Cultural Organi-
9 zation (UNESCO) on December 31, 1984, in re-
10 sponse to grave and persistent problems in UNESCO
11 under the then-Director General;
12 (2) chief among these problems was the assault on
13 the free flow of information supported by that Director
14 General and the pervasive ideological conflict fomented
15 by the alliance between totalitarian and developing
16 nations;
17 (3) UNESCO has since acquired a new Director
18 General, Federico Mayor, who has pledged his support
19 for the free flow of information, the return of
20 UNESCO to the principles enunciated in its Charter,
21 and other needed changes in UNESCO policy;
22 (4) Soviet Foreign Minister Eduard Shevard-
23 nadze stated on October 11, 1988, that the Soviet
24 Union was responsible for "the exaggerated ideological
25 approach [that] undermined tolerance intrinsic to

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 *UNESCO," and stated that Soviet policy would im-*
2 *prove in this regard;*
3 *(5) substantial progress remains to be made in*
4 *implementing the reforms proposed by the new Director*
5 *General and in determining the degree to which ideo-*
6 *logical conflict has actually declined; and*
7 *(6) when the United States withdrew from*
8 *UNESCO, the policy of the United States was that at*
9 *such time as satisfactory changes were achieved in*
10 *UNESCO, the United States would act on reentry.*
11 *(b) POLICY.—It is the sense of the Congress that the*
12 *Secretary of State should monitor closely the changes*
13 *achieved in UNESCO and should work with United States*
14 *allies and the UNESCO leadership to continue to promote*
15 *the progress necessary to permit United States reentry in*
16 *UNESCO as soon as possible and appropriate.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(24)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 SEC. 607. UNITED STATES COMMISSION ON IMPROVING THE
22 EFFECTIVENESS OF THE UNITED NATIONS.
23 Section 727 of the Foreign Relations Authorization Act,
24 Fiscal Years 1988 and 1989 (Public Law 100-204) is
1 amended in subsection (b) by inserting before the period at
2 the end of such subsection "; whichever is greater".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

201

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 608. SENSE OF CONGRESS CONCERNING AN ENHANCED
4 ROLE FOR THE INTERNATIONAL COURT OF JUSTICE
5 IN RESOLUTION OF INTERNATIONAL DISPUTES.
6

7 (a) FINDINGS.—The Congress makes the following find-
8 ings:

9 (1) In 1945 the United States supported the es-
10 tablishment of the International Court of Justice (ICJ)
11 to provide for the orderly resolution of disputes among
12 nations under the rule of law.

13 (2) The United States, pursuant to Article 93 of
14 the Charter of the United Nations, is also a party to
15 the Statute of the International Court of Justice which
16 provides in Article 36(1) that the International Court
17 of Justice will have jurisdiction over "all cases which
18 the parties refer to it and all matters specially provided
19 for in the Charter of the United Nations or in treaties
20 and conventions in force".

21 (3) In August 1946 the United States, pursuant
22 to Senate advice and consent (61 Stat. 1218), volun-
23 tarily accepted the compulsory jurisdiction of the Inter-
24 national Court of Justice in other international disputes
25 under Article 36(2) of the Statute of the International

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

265

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 Court of Justice, on certain conditions, and maintained
2 such recognition for four decades from 1946 to 1986
3 when United States acceptance was terminated.

4 (4) The United States has utilized the International
5 Court of Justice on numerous occasions to resolve
6 disputes with other nations.

7 (5) In April 1984, the United States notified the
8 Secretary General of the United Nations that the
9 United States was suspending for two years its acceptance
10 of the compulsory jurisdiction of the International
11 Court of Justice in cases relating to Central America.

12 (6) In 1985, the United States announced it was
13 terminating, in whole, United States acceptance (effective
14 April 1, 1986) of the compulsory jurisdiction of the
15 International Court of Justice.

16 (7) The Soviet Union, as a member of the United
17 Nations, is also a party to the Statute of the International
18 Court of Justice and is thus bound by Article
19 36(1).

20 (8) The Soviet Union, unlike the United States,
21 has not since the inception of the International Court
22 of Justice voluntarily accepted the compulsory jurisdiction
23 of the ICJ under Article 36(2) or taken any other
24 case voluntarily to the court.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

206

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (9) Soviet leader Mikhail Gorbachev, in his ad-
2 dress to the United Nations in December of 1988 said:
3 "We believe that the jurisdiction of the International
4 Court of Justice at the Hague as regards the interpre-
5 tation and implementation of agreements on human
6 rights should be binding on all states."
7 (10) The Legal Advisor of the State Department
8 is holding discussions with Soviet officials and repre-
9 sentatives of other permanent members of the United
10 Nations Security Council and other states to determine
11 whether and how the International Court of Justice
12 might be used for the peaceful settlement of interna-
13 tional disputes through procedures that assure fairness
14 and the protection of legitimate national interests.
15 (b) SENSE OF CONGRESS.—The Congress commends
16 and strongly supports efforts by the United States to broaden
17 the compulsory jurisdiction and enhance the effectiveness of
18 the International Court of Justice.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

19 SEC. 609. CONTRIBUTIONS FOR PEACEKEEPING ACTIVITIES
20 IN SOUTHERN AFRICA.

21 (a) ASSURANCES THAT ALL CUBAN TROOPS WILL BE
22 WITHDRAWN.—The United States may not, after the date of
23 enactment of this section, expend any funds authorized to be
24 appropriated in this Act for a contribution or any other assist-

1 ance with respect to implementation of the Tripartite Agree-
2 ment until the President certifies to the Congress that—

3 (1) the United States has received explicit and re-
4 liable assurances from each of the parties to the Bilat-
5 eral Agreement that all Cuban troops will be with-
6 drawn from Angola by July 1, 1991, and that no
7 Cuban troops will remain in Angola after that date;
8 and

9 (2) the Secretary General of the United Nations
10 has assured the United States that it is his understand-
11 ing that all Cuban troops will be withdrawn from
12 Angola by July 1, 1991, and that no Cuban troops will
13 remain in Angola after that date.

14 (b). CONTRIBUTIONS CONDITIONAL ON COMPLI-
15 ANCE.—The United States may not expend any funds au-
16 thorized to be appropriated in this Act for a contribution or
17 any other assistance with respect to implementation of the
18 Tripartite Agreement—

19 (1) if the Government of Cuba fails at any time to
20 comply with any of its obligations under Article 1 of

17 SEC. 1069. CONTRIBUTIONS FOR PEACEKEEPING ACTIVITIES IN
18 SOUTHERN AFRICA.

19 (a) ASSURANCES THAT ALL CUBAN TROOPS WILL
20 BE WITHDRAWN.—The United States may not, after the
21 date of enactment of this section, expend any funds author-
22 ized to be appropriated in this Act for a contribution or any
23 other assistance with respect to implementation of the Tripar-
24 tite Agreement until the President certifies to the Congress
25 that—

1 (1) the United States has received explicit and re-
2 liable assurances from each of the parties to the Bilat-
3 eral Agreement that all Cuban troops will be with-
4 drawn from Angola by July 1, 1991, and that no
5 Cuban troops will remain in Angola after that date;
6 and

7 (2) the Secretary General of the United Nations
8 has assured the United States that it is his under-
9 standing that all Cuban troops will be withdrawn from
10 Angola by July 1, 1991, and that no Cuban troops
11 will remain in Angola after that date.

12 (b) CONTRIBUTIONS CONDITIONAL IN COMPLI-
13 ANCE.—The United States may not expend any funds au-
14 thorized to be appropriated in this Act for a contribution or
15 any other assistance with respect to implementation of the
16 Tripartite Agreement—

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(208)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 the Bilateral Agreement (relating to the calendar for
22 redeployment and withdrawal of Cuban troops), or
23 (2) if any Cuban troops remain in Angola after
24 July 1, 1991.

25 (c) REPORTS TO CONGRESS.—

1 (1) COMPLIANCE WITH OBLIGATIONS.—Not
2 more than 15 days after each scheduled phase of the
3 redeployment northward and withdrawal of Cuban
4 troops pursuant to the Bilateral Agreement, the Presi-
5 dent shall submit to the committees designated in para-
6 graph (2) a report on whether each of the signatories
7 of the Tripartite Agreement is complying with its obli-
8 gations under that Agreement. And the President shall
9 report to the committees designated in paragraph (2)
10 whenever he has determined that a material breach of
11 the Tripartite Agreement may have been committed by
12 any of the signatories to that Agreement.

13 (2) RECIPIENT COMMITTEES.—The reports re-
14 quired by paragraph (1) shall be submitted to the Com-
15 mittee on Foreign Affairs of the House of Representa-
16 tives and the Committee on Foreign Relations of the
17 Senate.

17 (1) if the Government of Cuba fails at any time
18 to comply with any of its obligations under Article 1 of
19 the Bilateral Agreement (relating to the calendar for re-
20 deployment and withdrawal of Cuban troops); or

21 (2) if any Cuban troops remain in Angola after
22 July 1, 1991.

23 (c) REPORTS TO CONGRESS, COMPLIANCE WITH OB-

24 LIGATIONS.—Not more than 15 days after each scheduled
25 phase of the redeployment northward and withdrawal of

1 Cuban troops pursuant to the Bilateral Agreement, the Presi-
2 dent shall submit to the appropriate Congressional commit-
3 tees a report on whether each of the signatories of the Tripar-
4 tite Agreement is complying with its obligations under the
5 agreement. And the President shall report to the appropriate
6 Congressional committees whenever he has determined that a
7 material breach of the Tripartite Agreement may have been
8 committed by any of the signatories to that Agreement.

9 (d) DISBURSEMENTS.—Of the amount authorized to be
10 appropriated to be made available for contribution with re-
11 spect to implementation of the Agreement Among the People's
12 Republic of Angola, the Republic of Cuba, and the Republic
13 of South Africa signed at the United Nations on December
14 22, 1988 (hereafter known as the Tripartite Agreement) 50
15 percent of the annual amount shall be available on October 1,

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

209

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

18 (d) DEFINITIONS.—As used in this section—
19 (1) the term "Bilateral Agreement" means the
20 Agreement Between the Governments of the People's
21 Republic of Angola and the Republic of Cuba for the
22 Termination of the International Mission of the Cuban
23 Military Contingent, signed at the United Nations on
24 December 22, 1988; and
1 (2) the term "Tripartite Agreement" means the
2 Agreement Among the People's Republic of Angola,
3 the Republic of Cuba, and the Republic of South
4 Africa, signed at the United Nations on December 22,
5 1988.

16 1989 and the remaining 50 percent on April 1, 1990 only if
17 the President determines and certifies to the appropriate Con-
18 gressional committees as of each date that (1) each of the
19 signatories to the Tripartite Agreement is in compliance with
20 its obligations under the Agreement, (2) the Government of
21 Cuba has complied with its obligations under Article 1 of the
22 Bilateral Agreement (relating to the calendar for redeploy-
23 ment and withdrawal of Cuban troops), (3) the Cubans have
24 not engaged in any offensive military actions against
25 UNITA, including the use of chemical warfare, (4) the
1 United Nations and its affiliated agencies have terminated
2 all funding and other support, in conformity with the United
3 Nations impartiality package, to the South West Africa Peo-
4 ple's Organization (SWAPO), and (5) the United Nations
5 Angola Verification Mission is demonstrating diligence, im-
6 partiality, and professionalism in verifying the departure of
7 Cuban troops and the recording of any troop rotations.
8 (e) Funding of these activities by the United States may
9 not be construed as constituting recognition of any govern-
10 ment in Angola.

210

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

11 (f) The term "Bilateral Agreement" means the Agree-
12 ment Between the Governments of the People's Republic of
13 Angola and the Republic of Cuba for the Termination of the
14 International Mission of the Cuban Military Contingent,
15 signed at the United Nations on December 22, 1988, and the
16 term "Tripartite Agreement" means the Agreement Among
17 the People's Republic of Angola, the Republic of Cuba, and
18 the Republic of South Africa, signed at the United Nations
19 on December 22, 1988.

20 (g) The term "appropriate Congressional committees"
21 means the Committees on Appropriations, Foreign Affairs
22 and Permanent Select Committee on Intelligence of the
23 House of Representatives, and the Committees on Appropria-
24 tions, Foreign Relations and the Select Committee on Intelli-
25 gence of the Senate.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(11)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 610. ANNUAL REPORT TO CONGRESS ON VOTING PRACTICES AT THE UNITED NATIONS.

8 (a) IN GENERAL.—Not later than March 31 of each
9 year, the Secretary of State shall transmit to the Speaker of
10 the House of Representatives and the President of the Senate
11 a full and complete annual report which assesses for the prior
12 calendar year, with respect to each foreign country member
13 of the United Nations, the voting practices of the govern-
14 ments of such countries at the United Nations, and evaluates
15 General Assembly and Security Council actions and the re-
16 sponsiveness of those governments to United States policy on
17 issues of special importance to the United States.

18 (b) INFORMATION ON VOTING PRACTICES IN THE
19 UNITED NATIONS.—Such report shall include, with respect
20 to voting practices and plenary actions in the United Nations
21 during the preceding year, information to be compiled and
22 supplied by the Permanent Representative of the United
23 States to the United Nations, consisting of—

24 (1) an analysis and discussion, prepared in consul-
25 tation with the Secretary of State, of the extent to
1 which member countries supported United States
2 policy objectives at the United Nations;

3 (2) an analysis and discussion, prepared in consul-
4 tation with the Secretary of State, of actions taken by
5 the United Nations by consensus;

6 (3) with respect to plenary votes of the United
7 Nations General Assembly—

15 SEC. 101. ANNUAL REPORT TO CONGRESS ON VOTING PRACTICES AT THE UNITED NATIONS.

17 (a) IN GENERAL.—Not later than March 31 of each
18 year, the Secretary of State shall transmit to the Speaker of
19 the House of Representatives and the President of the Senate
20 a full and complete annual report which assesses for the prior
21 calendar year, with respect to each foreign country member of
22 the United Nations, the voting practices of the governments of
23 such countries at the United Nations, and evaluates General
24 Assembly and Security Council actions and the responsive-
1 ness of those governments to United States policy on issues of
2 special importance to the United States.

3 (b) INFORMATION ON VOTING PRACTICES IN THE
4 UNITED NATIONS.—Such report shall include, with respect
5 to voting practices and plenary actions in the United Nations
6 during the preceding year, information to be compiled and
7 supplied by the Permanent Representative of the United
8 States to the United Nations, consisting of—

9 (1) an analysis and discussion, prepared in con-
10 sultation with the Secretary of State, of the extent to
11 which member countries supported United States
12 policy objectives at the United Nations;

13 (2) an analysis and discussion, prepared in con-
14 sultation with the Secretary of State, of actions taken
15 by the United Nations by consensus;

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

8	(A) a listing of all such votes on issues which	16	(3) with respect to plenary votes of the United
9	directly affected important United States interests	17	Nations General Assembly—
10	and on which the United States lobbied extensive-	18	(A) a listing of all such votes on issues
11	ly and a brief description of the issues involved in	19	which directly affected important United States
12	each such vote;	20	interests and on which the United States lobbied
13	(B) a listing of the votes described in sub-	21	extensively and a brief description of the issues
14	paragraph (A) which provides a comparison of the	22	involved in each such vote;
15	vote cast by each member country with the vote	23	(B) a listing of the votes described in sub-
16	cast by the United States;	24	paragraph (A) which provides a comparison of the
17	(C) a country-by-country listing of votes de-	1	vote cast by each member country with the vote
18	scribed in subparagraph (A); and	2	cast by the United States;
19	(D) a listing of votes described in subpara-	3	(C) a country-by-country listing of votes de-
20	graph (A) displayed in terms of United Nations	4	scribed in subparagraph (A); and
21	regional caucus groups;	5	(D) a listing of votes described in subpara-
22	(4) a listing of all plenary votes cast by member	6	graph (A) displayed in terms of United Nations
23	countries of the United Nations in the General Assem-	7	regional caucus groups;
24	bly which provides a comparison of the votes cast by	8	(4) a listing of all plenary votes cast by member
1	each member country with the vote cast by the United	9	countries of the United Nations in the General Assem-
2	States;	10	bly which provides a comparison of the votes cast by
3	(5) an analysis and discussion, prepared in consul-	11	each member country with the vote cast by the United
4	tation with the Secretary of State, of the extent to	12	States;
5	which other members supported United States policy	13	(5) an analysis and discussion, prepared in con-
6	objectives in the Security Council and a separate list-	14	sultation with the Secretary of State, of the extent to
7	ing of all Security Council votes of each member coun-	15	which other members supported United States policy
8	try in comparison with the United States; and	16	objectives in the Security Council and a separate list-
9	(6) a side-by-side comparison of agreement on im-	17	ing of all Security Council votes of each member coun-
0	portant and overall votes for each member country and	18	try in comparison with the United States; and
1	the United States.		

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

23

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

12 (c) **FORMAT.**—Information required pursuant to subsec-
13 tion (b)(3) shall also be submitted, together with an explana-
14 tion of the statistical methodology, in a format identical to
15 that contained in chapter II of the March 14, 1988, Report
16 to Congress on Voting Practices in the United Nations.

17 (d) **STATEMENT BY THE SECRETARY OF STATE.**—
18 Each report under subsection (a) shall contain a statement by
19 the Secretary of State discussing the measures which have
20 been taken to inform United States diplomatic missions of
21 United Nations General Assembly and Security Council ac-
22 tivities.

23 (e) **TECHNICAL AND CONFORMING AMENDMENTS.**—
24 The following provisions of law are repealed:

1 (1) The second undesignated paragraph of section
2 101(b)(1) of the Foreign Assistance and Related Pro-
3 grams Appropriations Act, 1984 (Public Law 98-151;
4 97 Stat. 967).

5 (2) Section 529 of the Foreign Assistance and Re-
6 lated Programs Appropriations Act, 1986, as enacted
7 by Public Law 99-190 (99 Stat. 1307).

8 (3) Section 528 of the Foreign Assistance and Re-
9 lated Programs Appropriations Act, 1987, as enacted
10 by Public Law 99-500 (100 Stat. 1783) and Public
11 Law 99-591 (100 Stat. 3341).

19 (6) *a side-by-side comparison of agreement on im-
20 portant and overall votes for each member country and
21 the United States.*

22 (c) **FORMAT.**—Information required pursuant to sub-
23 section (b)(3) shall also be submitted, together with an expla-
24 nation of the statistical methodology, in a format identical to
25 that contained in chapter II of the Report to Congress on
1 Voting Practices in the United Nations, dated March 14,
2 1988.

3 (d) **STATEMENT BY THE SECRETARY OF STATE.**—
4 Each report under subsection (a) shall contain a statement
5 by the Secretary of State discussing the measures which have
6 been taken to inform United States diplomatic missions of
7 United Nations General Assembly and Security Council
8 activities.

9 (e) **TECHNICAL AND CONFORMING AMENDMENTS.**—
10 The following provisions of law are repealed:

11 (1) The second undesignated paragraph of section
12 101(b)(1) of the Foreign Assistance and Related Pro-
13 grams Appropriations Act, 1984 (Public Law 98-151;
14 97 Stat. 967).

15 (2) Section 529 of the Foreign Assistance and
16 Related Programs Appropriations Act, 1986, as en-
17 acted by Public Law 99-190 (99 Stat. 1307).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(24)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

12 (4) Section 528 of the Foreign Operations, Export
13 Financing, and Related Programs Appropriations Act,
14 1988, as enacted by Public Law 100-202 (101 Stat.
15 1329).

16 (5) Section 527 of the Foreign Operations, Export
17 Financing, and Related Programs Appropriations Act,
18 1989, as enacted by Public Law 100-461.

18 (3) Section 528 of the Foreign Assistance and
19 Related Programs Appropriations Act, 1987, as en-
20 acted by Public Law 99-500 (100 Stat. 1783) and
21 Public Law 99-591 (100 Stat. 3341).

22 (4) Section 528 of the Foreign Operations,
23 Export Financing, and Related Programs Appropria-
24 tions Act, 1988, as enacted by Public Law 100-202
25 (101 Stat. 1329).

1 (5) Section 527 of the Foreign Operations,
2 Export Financing, and Related Programs Appropria-
3 tions Act, 1989, as enacted by Public Law 100-461.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

25

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 405. MEMBERSHIP OF THE PALESTINE LIBERATION ORGA-
18 NIZATION IN UNITED NATIONS AGENCIES.
19 No funds authorized to be appropriated by this Act or
20 any other Act shall be available for the United Nations or
21 any specialized agency thereof which accords the Palestine
22 Liberation Organization the same standing as member states.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

276

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 **TITLE V—REFUGEE AND OTHER PROVISIONS**

2 **SEC. 401. UNITED NATIONS HIGH COMMISSIONER FOR REFU-**

3 **GEES AUDIT REQUIREMENT.**

4 Subsection (a) of section 8 of the Migration and Refu-
5 gee Assistance Act of 1962 (22 U.S.C. 2606) is amended to
6 read as follows:

7 "(a) **PROGRAM AUDITS.**—Funds may not be available
8 to the United Nations High Commissioner for Refugees
9 (UNHCR) under this or any other Act unless provision is
10 made for—

11 "(1) annual program audits to determine the use
12 of UNHCR funds, including the use of such funds by
13 implementing partners; and

14 "(2) such audits are made available through the
15 Department of State for inspection by the Comptroller
16 General of the United States."

THE CONGRESSION OF H.R. 1487 AND S. 1160

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 502. WORLDWIDE REFUGEE PROTECTION.

18 (a) COMMENDATION TO THE GOVERNMENT AND
19 PEOPLE OF PAKISTAN AND THE GOVERNMENT AND
20 PEOPLE OF MALAWI.—

21 (1) FINDINGS.—The Congress finds that—

22 (A) Pakistan has provided sanctuary, com-
23 fort, and care for nearly 3,000,000 refugees from
24 Afghanistan;

1 (B) Malawi has provided sanctuary, care,
2 and support to 640,000 refugees from Mozam-
3 bique; and

4 (C) both Pakistan and Malawi have provid-
5 ed humane treatment to refugees despite the very
6 difficult social, economic, and political hardships
7 their generosity has caused within their own
8 borders.

9 (2) POLICY.—It is the sense of the Congress
10 that—

11 (A) the government and people of Pakistan
12 and the government and people of Malawi should
13 be highly commended for their humanitarian be-
14 havior to alleviate the suffering, deprivation, and
15 cruelty inflicted upon their neighbors; and

16 (B) the Secretary of State should convey the
17 deep admiration and respect of the United States
18 to the government of the people of Pakistan and to

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(28)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

19 the government and people of Malawi for their on-
20 going efforts to support and care for refugees from
21 Afghanistan and Mozambique.

22 (b) REFUGEES FROM THE SOVIET UNION.—

23 (1) FINDINGS.—The Congress finds that—

24 (A) the recent increase in the number of
25 Jews and other persecuted religious minority
1 groups able to depart the Soviet Union is a sig-
2 nificant foreign policy and human rights achieve-
3 ment which the United States should welcome
4 and encourage; and

5 (B) the current practice whereby United
6 States refugee status is denied to some of those
7 now leaving the Soviet Union has led to substan-
8 tial increases in the numbers of Soviet refugees in
9 Rome waiting to come to the United States.

10 (2) POLICY.—It is the sense of the Congress
11 that—

12 (A) the United States should reaffirm its
13 commitment to facilitating the departure of Jews
14 and other persecuted religious minority groups of
15 special concern from the Soviet Union; and

16 (B) United States refugee processing should
17 recognize the history of persecution that is the
18 compelling reason for Jews and other similarly-
19 prosecuted religious minority groups to leave the

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

49

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 Soviet Union and should assure that these refu-
21 gees have adequate resettlement opportunities. The
22 United States should make known to all Jewish
23 refugees the option of emigrating to Israel under
24 its "Law of Return". Sufficient funds from this
1 Act should be provided to fulfill the purposes of
2 this subsection.

3 (c) REFUGEES FROM INDOCHINA.—

4 (1) FINDINGS.—The Congress finds that—

5 (A) the refugee crisis in Southeast Asia re-
6 mains unresolved, and large numbers of refugees
7 continue to flee from Vietnam, Laos, and
8 Cambodia;

9 (B) while voluntary repatriation appears to
10 be the best solution for most of the 320,000 Cam-
11 bodian refugees and displaced persons in Thai-
12 land, there are many of special humanitarian con-
13 cern to the United States for whom resettlement
14 opportunities must be preserved, including victims
15 of torture and human rights abuses, and family
16 reunification cases;

17 (C) while the overall rate of pirate attacks on
18 refugee boats in the Gulf of Thailand is lower
19 than in previous years, the numbers of rapes and
20 abductions of refugees increased from 95 in 1987
21 to 185 in 1988, and the totals for dead and miss-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

22

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

22 ing refugees increased more than fivefold, from 95
23 in 1987 to 501 in 1988;
24 (D) United States rejection rates of refugee
25 applicants for the orderly departure program from
1 Vietnam reached nearly 80 per centum in 1989,
2 while in the previous decade these rejection rates
3 never exceeded 10 per centum; and
4 (E) this unannounced policy change is
5 unfair to the thousands of Vietnamese who, in re-
6 sponse to a United States invitation for an inter-
7 view, have been waiting, often for many years, for
8 an opportunity to leave Vietnam safely and legal-
9 ly through the orderly departure program.
10 (2) It is the sense of the Congress that—
11 (A) the United States Government should
12 work with the Government of Thailand and with
13 other countries of the region, and with refugee re-
14 settlement countries, and with the United Nations
15 High Commissioner for Refugees, to assure that
16 refugees and displaced persons continue to receive
17 asylum and protection, and that resettlement op-
18 portunities for refugees and others of special hu-
19 manitarian concern are maintained;
20 (B) first asylum countries in Southeast Asia
21 should be urged to reinstate the practice of provid-
22 ing adequate refuge for all asylum seekers, while

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(22)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

24 (C) efforts to combat pirate attacks on refu-
25 gees should be continued and strengthened;

1 (D) the United States Government should
2 advocate the policy that no repatriation of asylum
3 seekers should occur until strong and effective
4 procedures are in place to guarantee that such
5 asylum seekers will be returned to their countries
6 of origin in conditions of safety and will not be
7 subjected to persecution;

8 (E) the United States should review proce-
9 dures and criteria in the orderly departure pro-
10 gram to assure that family reunion cases and
11 others who have received letters of introduction for
12 the United States are given reasonable opportuni-
13 ties to leave Vietnam; and

14 (F) the United States should seek to estab-
15 lish a special resettlement program for former "re-
16 education camp" prisoners and their immediate
17 families.

18 (d) REFUGEES IN SOUTHERN AFRICA.—

19 (1) The Congress finds that—

20 (A) the actions of the Government of the Re-
21 public of South Africa in forcing Mozambican
22 refugees to return to their violence-plagued home-
23 land in 1988 should be condemned;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(222)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

24 (B) the possibility exists that large numbers
25 of Mozambican civilians in South Africa could
1 face similar involuntary return to their homeland
2 in 1989; and
3 (C) the policy of the Government of South
4 Africa of deterring and preventing the entry of
5 refugees from Mozambique by means of an electri-
6 fied fence has resulted in the deaths of numerous
7 refugees and should be condemned.
8 (2) It is the sense of the Congress that the Secre-
9 tary of State should urge the Government of the Re-
10 public of South Africa to stop the forcible repatriation
11 of Mozambican civilians, to dismantle the fence upon
12 which numerous refugees have been electrocuted, and to
13 invite the United Nations High Commissioner for Ref-
14 ugees to carry out his customary role of protecting and
15 assisting Mozambican refugees in South Africa.
16 (3) Not later than September 30, 1989, the Secre-
17 tary of State shall submit to the Congress a report as
18 to his actions to carry out paragraph (3) and the re-
19 sponse of the Republic of South Africa, and shall pro-
20 vide a current assessment of the situation of Mozambi-
21 cans in or seeking to enter South Africa.
22 (e) REFUGEES IN THE HORN OF AFRICA.—
23 (1) The Congress finds that—
24 (A) while hundreds of thousands of refugees

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

23

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

98

1 countries, serious internal violence in Sudan and
2 Somalia has uprooted several million civilians
3 and precipitated a major movement of refugees
4 from both countries into Ethiopia;

5 (B) the Government of Ethiopia and the
6 United Nations High Commissioner for Refugees
7 have been unable to provide adequately for the hu-
8 manitarian needs of the refugees from Sudan and
9 Somalia now in asylum in Ethiopia; and

10 (C) continuing violence in Sudan and So-
11 malia may lead to the arrival of additional large
12 numbers of refugees into Ethiopia from both
13 countries.

14 (2) It is the sense of the Congress that—

15 (A) the Secretary of State should advise the
16 Government of Ethiopia and the United Nations
17 High Commissioner for Refugees of the strong
18 concern of the United States Government that the
19 situation of refugees from Sudan and Somalia
20 should be improved to acceptable standards; and

21 (B) the Secretary of State should urge the
22 Government of Ethiopia to permit cross-border de-
23 liveries of food and other humanitarian assistance
24 to the people of southern Sudan, in order to stem
25 the further flow of Sudanese into Ethiopia.

224

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

99

1 (3) Not later than September 30, 1989, the Secre-
2 tary of State shall submit to the Congress a report on
3 the actions taken by the Government of Ethiopia and
4 the United Nations High Commissioner for Refugees
5 to improve the living conditions of these refugees, meas-
6 ures the United States has taken and can take to assist
7 in this regard, and the prospects for additional refugee
8 movements from Sudan and Somalia.

9 (f) TIBETAN REFUGEES.—Of the amounts authorized
10 to be appropriated by section 104 for the Department of State
11 for "migration and refugee assistance" for fiscal year 1990,
12 \$500,000 are authorized to be appropriated for assistance for
13 displaced Tibetans in India and Nepal. The Secretary of
14 State shall determine the best means for providing such
15 assistance.

16 (g) ALLOCATION OF FUNDS.—Of the amounts author-
17 ized to be appropriated by section 104 for the Department of
18 State for "Migration and Refugee Assistance", \$250,000
19 shall be available only for assistance to displaced Burmese in
20 India and Thailand.

(225)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

21 SEC. 503. PROHIBITION ON EXCLUSION OR DEPORTATION OF
22 NONRESIDENT ALIENS.

23 (a) TECHNICAL CORRECTION.—Section 901 of the
24 Foreign Relations Authorization Act, Fiscal Years 1988 and
25 1989 (8 U.S.C. 1182 note) is amended in subsection (a) by

1 inserting "subject to restrictions or conditions on entry into
2 the United States", after "United States", the first place it
3 appears.

4 (b) EFFECTIVE DATE.—Subsection (d) of section 901
5 of the Foreign Relations Authorization Act, Fiscal Years
6 1988 and 1989 (8 U.S.C. 1182 note) is repealed.

(26)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

7 SEC. 504. REPORT REGARDING BURMESE STUDENTS.

8 (a) The Attorney General, in consultation with the Sec-
9 retary of State, shall report to the Committees on Foreign
10 Relations and Judiciary of the Senate within 30 days after
11 the date of enactment of this Act on the immigration policy of
12 the United States regarding Burmese pro-democracy protest-
13 ers who have fled from the military government of Burma
14 and are now located in border camps or inside Thailand.
15 Specifically, the report shall include—

16 (1) a description of the number and location of
17 such persons in border camps in Burma, inside Thai-
18 land, and in third countries;

19 (2) the number of visas, parole applications, and
20 approvals for such persons by United States authori-
21 ties, and precedents for increasing such visa and parole
22 applications in such circumstances;

23 (3) the immigration policy of Thailand and other
24 countries from which such persons have sought immi-
25 gration assistance;

26 (4) the involvement of international organizations,
27 such as the United Nations High Commission for Ref-
28 ugees, in meeting the residency needs of such persons;
29 and

30 (5) the involvement of the United States, other
31 countries, and international organizations in meeting
32 the humanitarian needs of such persons.

(U)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

8 (b) The Attorney General shall recommend in the report
9 any legislative changes he deems appropriate to meet the
10 asylum, refugee, parole, or visa status needs of such persons.
11 (c) As used in this section, the term "pro-democracy pro-
12 tester" means any person who has fled from the current mili-
13 tary regime of Burma since the outbreak of pro-democracy
14 demonstrations in Burma in 1988.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

172

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

19 **TITLE VII—INTER-AMERICAN**
20 **FOUNDATION**
21 SEC. 701. INTER-AMERICAN FOUNDATION.
22 Section 401 of the Inter-American Foundation Act (22
23 U.S.C. 290f) is amended in subsection (s)(2) by striking the
24 first sentence and inserting "There are authorized to be ap-
25 propriated \$16,932,000 for the fiscal year 1990 and
1 \$20,000,000 for the fiscal year 1991 to carry out the pur-
2 poses of this section."

15 SEC. 1001. INTER-AMERICAN FOUNDATION.
16 Subsection (s) of section 401 of the Foreign Assistance
17 Act of 1969 (22 U.S.C. 290f) is amended to read as follows:
18 "(s)(1) There are authorized to be appropriated
19 \$16,932,000 for fiscal year 1990 to carry out the purposes of
20 this section.
21 "(2) Amounts appropriated under paragraph (1) are
22 authorized to remain available until expended."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

214

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 **TITLE VIII—MISCELLANEOUS**
4 **PROVISIONS**
5 SEC. 801. COMPLIANCE WITH CONGRESSIONAL BUDGET ACT.
6 (a) LIMITATION ON SPENDING AUTHORITY.—Any new
7 spending authority (within the meaning of section 401 of the
8 Congressional Budget Act of 1974) which is provided under
9 this Act shall be effective for any fiscal year only to the
10 extent or in such amounts as are provided in advance in ap-
11 propriation Acts.
12 (b) LIMITATION ON CONTRACT AUTHORITY.—Any au-
13 thority provided by this Act to enter into contracts shall be
14 effective only—
15 (1) to the extent that the budget authority for the
16 obligation to make outlays, which is created by the
17 contract, has been provided in advance by an appro-
18 priation Act; or
19 (2) to the extent or in such amounts as are pro-
20 vided in advance in appropriation Acts.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

239

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

**TITLE IX—BUY-AMERICAN
REQUIREMENT**

SEC. 901. BUY-AMERICAN REQUIREMENT.

(a) DETERMINATION BY SECRETARY OF STATE.—If
the Secretary of State, with the concurrence of the United

States Trade Representative and the Secretary of Com-
merce, determines that the public interest so requires, the
Secretary of State is authorized to award to a domestic firm
a contract that, under the use of competitive procedures,
would be awarded to a foreign firm, if—

(1) the final product of the domestic firm will be
completely assembled in the United States;

(2) when completely assembled, not less than 50
percent of the final product of the domestic firm will be
domestically produced; and

(3) the difference between the bids submitted by
the foreign and domestic firms is not more than 6 per-
cent. In determining under this subsection whether the
public interest so requires, the Secretary of State shall
take into account United States international obliga-
tions and trade relations.

(b) LIMITED APPLICATION.—This section shall not
apply to the extent to which—

(1) such applicability would not be in the public
interest;

(2) compelling national security considerations re-
quire otherwise or

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

23/

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

23 (3) the United States Trade Representative deter-
24 mines that such an award would be in violation of the
25 General Agreement on Tariffs and Trade or an inter-
1 national agreement to which the United States is a
2 party.
3 (c) REPORT TO CONGRESS.—The Secretary of State
4 shall report to the Congress on contracts covered under this
5 section and entered into with foreign entities in fiscal years
6 1990 and 1991 and shall report to the Congress on the
7 number of contracts that meet the requirements of subsection
8 (a) but which are determined by the United States Trade Rep-
9 resentative to be in violation of the General Agreement on
10 Tariffs and Trade or an international agreement to which the
11 United States is a party.
12 (d) DEFINITIONS.—For purposes of this section—
13 (1) the term “domestic firm” means a business
14 entity that is incorporated in the United States and
15 that conducts business operations in the United States;
16 and
17 (2) the term “foreign firm” means a business
18 entity not described in paragraph (1).
19 (e) This title shall apply only to contracts for which—
20 (1) amounts are made available by this Act; and
21 (2) solicitations for bids are issued after the date
22 of the enactment of this Act.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

439

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 **TITLE XII—AGGREGATE LIMIT OF**
14 **AUTHORIZATIONS OF APPRO-**
15 **PRIATIONS**

16 SEC. 1201. AGGREGATE LIMIT OF AUTHORIZATIONS OF AP-
17 PROPRIATIONS.

18 Notwithstanding any other provision of this Act, the
19 total of the amounts authorized to be appropriated by this
20 Act (and the amendments made by this Act) for fiscal year
21 1990, and the total of the amounts authorized to be appropri-
22 ated by this Act (and the amendments made by this Act) for
23 fiscal year 1991, are each hereby reduced by \$125,000,000.

1 SEC. 1202. SENSE OF CONGRESS CONCERNING THE FUNDING
2 OF CERTAIN ACCOUNTS.

3 It is the sense of the Congress that notwithstanding any
4 aggregate limit on authorizations of appropriations under this
5 Act, certain accounts and programs should be funded to the
6 full extent to which such accounts and programs are author-
7 ized to be appropriated under this Act for each of the fiscal
8 years 1990 and 1991, particularly the following:

9 (1) "Emergencies in the Diplomatic and Consular
10 Office".

11 (2) "Diplomatic Security Program", including
12 "Salaries and Expenses", and "Protection of Foreign
13 Missions and Officials".

14 (3) "Contributions to International Organiza-
15 tions".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

133

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 (4) "Contributions to International Peacekeeping
17 Activities".
18 (5) "Migration and Refugee Assistance" including
19 the additional authorization of appropriations for 1989
20 under section 104(c).
21 (6) Foreign Service Internship Program under
22 chapter 12 of the Foreign Service Act of 1980 (as
23 amended by section 152).
24 (7) Grants to Students for Study in International
25 Affairs under section 43 of the State Department Basic
26 Authorities Act of 1956 (as amended by section 153).
1 (8) "National Endowment for Democracy".
2 (9) Television Marti Service under part B of title
3 II of this Act.
4 (10) Construction of a Broadcasting Relay Station
5 in Israel as authorized to be appropriated under section
6 401(c).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

137

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 SEC. 139. REPORT CONCERNING GLOBAL WARMING PREVEN-
15 TION INFORMATION NETWORK.
16 (a) FINDINGS.—The Congress makes the following find-
17 ings:
18 (1) The United States, which chairs the response
19 strategies working group of the Intergovernmental
20 Panel on Climate Change (IPCC), has an interest in
21 preventing global warming.
22 (2) The Secretary of State urged other nations of
23 the world to reduce the generation of greenhouse gases
24 at the IPCC's first meeting.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

435

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

32

(3) Information and technology available in the United States, and internationally, on global warming and related issues could substantially assist in reducing the generation of greenhouse gases in developing countries and help prevent global warming.

(b) REPORT TO CONGRESS.—

(1) Not more than 90 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with other Federal agencies, prepare and submit a report to the Congress on the feasibility of establishing a global warming prevention information network to disseminate prompt, accurate, and comprehensive information concerning matters pertaining to global warming to foreign governments, business organizations, public and private institutions, and citizens of other countries.

(2) Together with such other information as the Secretary of State considers appropriate, such report shall—

(A) include recommendations as to the most appropriate means by which the dissemination of such information may be achieved; and

(B) evaluate, including relevant costs, the availability of information concerning methods and technologies to—

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

236

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

33

(i) reduce energy consumption through conservation and energy efficiency;

(ii) promote the use of solar and renewable energy sources which reduce the amount of greenhouse gases released into the atmosphere;

(iii) develop safe non-toxic replacements for chlorofluorocarbons and halons;

(iv) promote the conservation of forest resources which help reduce the amount of carbon dioxide in the atmosphere;

(v) assist developing countries in ecological pest management practices and in the proper use of agricultural and industrial chemicals;

(vi) promote recycling and source reduction in order to reduce the volume of waste which must be disposed of, thus decreasing energy use and greenhouse gas emissions;

(vii) coordinate international research efforts to reduce energy consumption and reduce emissions of greenhouse gases; and

(viii) encourage international agreement and cooperation to reduce the generation of greenhouse gases.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

15 **TITLE VI—GLOBAL ENVIRONMENT**
16 **PROTECTION ACT**
17 **SEC. 601. SHORT TITLE.**
18 *This title may be cited as the "Global Environmental*
19 *Protection Assistance Act of 1989".*
20 **PART A—COMMERCIAL DEBT-FOR-NATURE**
21 **EXCHANGES**
22 **SEC. 611. AMENDMENT TO THE FOREIGN ASSISTANCE ACT.**
23 *The Foreign Assistance Act of 1961 is amended by in-*
24 *serting after chapter 6 of part I the following new chapter:*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

258

102

1 "CHAPTER 7—DEBT-FOR-NATURE EXCHANGES

2 "SEC. 461. DEFINITION.—For purposes of this chap-
3 ter, the term 'debt-for-nature exchange' means the cancella-
4 tion or redemption of the foreign debt of the government of a
5 country in exchange for—

6 "(1) that government's making available local
7 currencies (including through the issuance of bonds)
8 which are used only for eligible projects involving the
9 conservation or protection of the environment in that
10 country (as described in section 463); or

11 "(2) that government's financial resource or
12 policy commitment to take certain specified actions to
13 ensure the restoration, protection, or sustainable use of
14 natural resources within that country; or

15 "(3) a combination of assets and actions under
16 both paragraphs (1) and (2).

17 "SEC. 462. ASSISTANCE FOR COMMERCIAL DEBT
18 EXCHANGES.—(a) The Administrator of the Agency for
19 International Development is authorized to furnish assist-
20 ance, in the form of grants on such terms and conditions as
21 may be necessary, to nongovernmental organizations for the
22 purchase on the open market of discounted commercial debt of
23 a foreign government of an eligible country which will be
24 canceled or redeemed under the terms of an agreement with
25 that government as part of a debt-for-nature exchange.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

239

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

103

1 *"(b) Notwithstanding any other provision of law, a*
2 *grantee (or any subgrantee) of the grants referred to in sub-*
3 *section (a) may retain, without deposit in the Treasury of the*
4 *United States and without further appropriation by Con-*
5 *gress, interest earned on the proceeds of any resulting debt-*
6 *for-nature exchange pending the disbursements of such pro-*
7 *ceeds and interest for approved program purposes, which may*
8 *include the establishment of an endowment, the income of*
9 *which is used for such purposes.*

10 *"SEC. 463. ELIGIBLE PROJECTS.—(a) The Adminis-*
11 *trator of the Agency for International Development shall seek*
12 *to ensure that debt-for-nature exchanges under this chapter*
13 *support one or more of the following activities by either the*
14 *host government, a local private conservation group, or a*
15 *combination thereof:*

16 *"(1) restoration, protection, or sustainable use of*
17 *the world's oceans and atmosphere;*

18 *"(2) restoration, protection, or sustainable use of*
19 *diverse animal and plant species;*

20 *"(3) establishment, restoration, protection, and*
21 *maintenance of parks and reserves;*

22 *"(4) development and implementation of sound*
23 *systems of natural resource management;*

24 *"(5) development and support of local conserva-*
25 *tion programs;*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

240

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

104

1 “(6) training programs to strengthen conservation
2 institutions and increase scientific, technical, and man-
3 agerial capabilities of individuals and organizations
4 involved in conservation efforts;’

5 “(7) efforts to generate knowledge, increase under-
6 standing, and enhance public commitment to conserva-
7 tion;

8 “(8) design and implementation of sound pro-
9 grams of land and ecosystem management; and

10 “(9) promotion of regenerative approaches in
11 farming, forestry, fishing, and watershed management.

12 “(b)(1) In cooperation with nongovernmental organiza-
13 tions, the Administrator of the Agency for International De-
14 velopment shall seek to identify those areas, which because of
15 an imminent threat, are in particular need of immediate at-
16 tention to prevent the loss of unique biological life or valuable
17 ecosystem.

18 “(2) The Administrator of the Agency for International
19 Development shall encourage as many eligible countries as
20 possible to propose such exchanges with the purpose of dem-
21 onstrating to a large number of governments the feasibility
22 and benefits of sustainable development.

23 “SEC. 464. ELIGIBLE COUNTRIES.—In order for a
24 foreign country to be eligible to participate in a debt-for-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

47

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

105

1 nature exchange under this chapter, the Administrator of the
2 Agency for International Development shall determine that—

3 “(1) the host country is fully committed to the
4 long-term viability of the program or project that is to
5 be undertaken through the debt-for-nature exchange;

6 “(2) a long-term plan has been prepared by the
7 host country, or private conservation group, which ade-
8 quately provides for the long-term viability of the pro-
9 gram or project that is to be undertaken through the
10 debt-for-nature exchange or that such a plan will be
11 prepared in a timely manner; and

12 “(3) there is a government agency or a local non-
13 governmental organization, or combination thereof, in
14 the host country with the capability, commitment, and
15 record of environmental concern to oversee the long-
16 term viability of the program or project that is to be
17 undertaken through the debt-for-nature exchange.

18 “SEC. 465. TERMS AND CONDITIONS.—(a) The terms
19 and conditions for making grants under this chapter shall be
20 deemed to be fulfilled upon final approval by the Administra-
21 tor of the Agency for International Development of the debt-
22 for-nature exchange, a certification by the nongovernmental
23 organization that the host government has accepted the terms
24 of the exchange, and that an agreement has been reached to
25 cancel the commercial debt in an agreed upon fashion.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

242

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

106

1 "(b) Grants made under this section are intended to
2 complement, and not substitute for, assistance otherwise
3 available to a foreign country under this Act or any other
4 provision of law.

5 "(c) The United States Government is prohibited from
6 accepting title or interest in any land in a foreign country as
7 a condition on the debt exchange.

8 "SEC. 466. PILOT PROGRAM FOR SUB-SAHARAN
9 AFRICA.—(a) The Administrator of the Agency for Interna-
10 tional Development, in cooperation with nongovernmental
11 conservation organizations, shall invite the government of
12 each country in sub-Saharan Africa to submit a list of those
13 areas of severely degraded national resources which threaten
14 human survival and well-being and the opportunity for
15 future economic growth or those areas of biological or ecologi-
16 cal importance within the territory of that country.

17 "(b) The Administrator of the Agency for International
18 Development shall assess the list submitted by each country
19 under subsection (a) and shall seek to reach agreement with
20 the host country for the restoration and future sustainable use
21 of those areas.

22 "(c)(1) The Administrator of the Agency for Interna-
23 tional Development is authorized to make grants, on such
24 terms and conditions as may be necessary, to nongovernmen-
25 tal organizations for the purchase on the open market of dis-

142

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

107

1 counted commercial debt of a foreign government of an eligi-
2 ble sub-Saharan country in exchange for commitments by
3 that government to restore natural resources identified by the
4 host country under subsection (a) or for commitments to de-
5 velop plans for sustainable use of such resources.
6 "(2) Notwithstanding any other provision of law, a
7 grantee (or any subgrantee) of the grants referred to in sec-
8 tion (a) may retain, without deposit in the Treasury of the
9 United States and without further appropriation by Con-
10 gress, interest earned on the proceeds of any resulting debt-
11 for-nature exchange pending the disbursements of such pro-
12 ceeds and interest for approved program purposes, which may
13 include the establishment of an endowment, the income of
14 which is used for such purposes."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

244

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

15 **PART B—MULTILATERAL FOREIGN ASSISTANCE**
16 **COORDINATION**
17 **SEC. 621. GENERAL POLICY.**
18 *It is the sense of the Congress that the Secretary of*
19 *State should seek to develop an increased consideration of*
20 *global warming, tropical deforestation, sustainable develop-*
21 *ment, and biological diversity among the highest goals of bi-*
22 *lateral foreign assistance programs of all countries.*
23 **SEC. 622. POLICY ON NEGOTIATIONS.**
24 *(a) IN GENERAL.—The Secretary of State, acting*
25 *through the United States representative to the Development*
1 *Assistance committee of the Organization for Economic Co-*
2 *ordination and Development (OECD), should initiate, at the*
3 *earliest practicable date, negotiations among member coun-*
4 *tries on a coordinated approach to global warming, tropical*
5 *deforestation, sustainable development, and biological diversi-*
6 *ty through bilateral assistance programs that would*
7 *include—*
8 *(1) increased consideration of the impact of devel-*
9 *opmental projects on global warming, tropical deforest-*
10 *ation, and biological diversity;*
11 *(2) reduction or elimination of funding for those*
12 *projects that exacerbate those problems;*
13 *(3) coordinated research and development of*
14 *projects that emphasize sustainable use or protection of*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

245

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

15 tropical forests and support for local conservation
16 efforts;

17 (4) expanded use of forgiveness of foreign assist-
18 ance debt in exchange for policy changes or programs
19 that address problems associated with global warming,
20 tropical deforestation, sustainable development, and
21 biological diversity;

22 (5) increased use of foreign assistance funds and
23 technical assistance in support of local conservation,
24 restoration, or sustainable development efforts and debt-
25 for-nature exchanges;

1 (6) improved exchange of information on energy
2 efficiency and solar and renewable energy sources, and
3 a greater emphasis on the use of those sources of
4 energy in developmental projects; and

5 (7) increased use of environmental experts in the
6 field to assess development projects for their impact on
7 global warming, tropical deforestation, and biological
8 diversity.

9 (b) IMPLEMENTATION OF AGREEMENT.—Negotiations
10 described in subsection (a) shall seek to ensure that the rec-
11 ommended changes are implemented as quickly as possible by
12 member countries of the Development Assistance Committee.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

246

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 **PART C—INTERNATIONAL DEBT EXCHANGES AND**

14 **THE ENVIRONMENT**

15 **SEC. 631. SENSE OF THE CONGRESS RESOLUTION REGARDING**

16 **ENVIRONMENTAL POLICY AND INTERNATIONAL**

17 **DEBT EXCHANGES.**

18 (a) **POLICY.**—It is the sense of the Congress that the
19 Secretary of the Treasury should include support for sustain-
20 able development and conservation projects when providing a
21 framework for negotiating or facilitating exchanges or reduc-
22 tions of commercial debt of foreign countries.

23 (b) **GOAL.**—In assisting or facilitating the reduction of
24 debt of heavily indebted foreign countries, either through bi-
25 lateral institutions or multilateral institutions such as the

1 International Monetary Fund or the World Bank, the Secre-
2 taries of State and Treasury shall support efforts to provide
3 adequate resources for sustainable development and conserva-
4 tion projects as a component of the restructured commercial
5 bank debt of that country.

6 (c) **CRITERIA.**—In providing that support, the Secre-
7 taries shall seek to assure that—

8 (1) the host government, or a local nongovernmen-
9 tal organization acting with the support of the host gov-
10 ernment, has identified conservation or sustainable de-
11 velopment projects it will target for assistance;

12 (2) there will be in place an organization, either
13 governmental or nongovernmental, that will have the

14 commitment to assure the long-term viability of the
15 project; and

16 (3) the allocation of the resources provided for
17 conservation and sustainable development projects
18 through the debt restructuring agreement is done in a
19 manner that will not overwhelm or distort economic
20 conditions in the host country.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

247

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 SEC. 612. REPORTS.

22 (a) Within 120 days of enactment of this Act, the Sec-
23 retary of the Treasury shall provide a report to the Senate
24 Foreign Relations Committee and the Speaker of the House

1 on the methods that will be used to incorporate environmental
2 considerations into debt restructuring plans.

3 (b) The Secretary shall include in the annual Multilat-
4 eral Development Bank environmental report a section pro-
5 viding a summary and analysis of the support provided to
6 conservation and sustainable development projects as a part
7 of major agreements to restructure a country's foreign debt.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(248)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 SEC. 611. MULTILATERAL DEVELOPMENT BANKS AND DEBT-

9 FOR-NATURE EXCHANGES.

10 (a) DIRECTIONS TO THE UNITED STATES EXECU-
11 TIVE DIRECTORS.—The Secretary of the Treasury shall
12 direct the United States Executive Directors of the multilat-
13 eral development banks to—

14 (1) negotiate for the creation in each respective
15 multilateral development bank, except where the Secre-
16 tary of the Treasury determines that the provisions of
17 this subsection have previously been met, of a depart-
18 ment that will—

19 (A) be responsible for environmental protec-
20 tion and resource conservation, including support
21 for restoration, protection, and sustainable use
22 policies;

23 (B) develop and monitor strict environmental
24 guidelines and policies to govern lending activi-
25 ties; and

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(244)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

112

1 (C) actively promote, coordinate and facili-
2 tate debt-for-nature exchanges and the restoration,
3 protection, and sustainable use of tropical forests,
4 renewable natural resources, endangered ecosys-
5 tems and species in debtor countries by assisting
6 those countries in reducing and restructuring their
7 debt burden.

8 (2) seek to provide funds for debt reduction, in-
9 cluding but not limited to the purchase of debt on the
10 secondary market;

11 (3) report annually to the Secretary of the Treas-
12 ury on the progress made in implementing this subsec-
13 tion;

14 (4) support, with other Executive Directors of the
15 multilateral development banks, the reduction of the
16 burden of debtor countries' debt service for those debtor
17 developing countries which demonstrate commitment to
18 sustainable use policies;

19 (5) support and encourage the approval of World
20 Bank loans which include provisions that foster and
21 facilitate the implementation of a sound and effective
22 environmental policy in the borrowing country;

23 (6) encourage the bank to approve loans which fa-
24 cilitate debt-for-nature exchanges;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(5)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

113

1 (7) ensure that staff of each institution facilitate
2 debtor countries' collaboration with local and interna-
3 tional non-governmental or private organizations in
4 implementing debt-for-nature exchanges; and

5 (8) ensure that each bank adopts policy guidelines
6 which to the maximum extent possible provide for—

7 (A) the inclusion of sustainable use policies
8 in loan agreements negotiated with borrower
9 members;

10 (B) the adoption of economic programs to
11 foster sound environmental policies; and

12 (C) the provision of debtor countries' policy
13 changes or significant increases in financial re-
14 sources for use in at least one of the following—

15 (i) restoration, protection, or sustainable
16 use of the World's oceans and atmosphere;

17 (ii) restoration, protection, or sustain-
18 able use of diverse animal and plant species;

19 (iii) establishment, restoration, protec-
20 tion, and maintenance of parks and reserves;

21 (iv) development and implementation of
22 sound systems of natural resource manage-
23 ment;

24 (v) development and support of local
25 conservation programs;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(151)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

114

1 (vi) training programs to strengthen
2 conservation institutions and increase scien-
3 tific, technical, and managerial capabilities
4 of individuals and organizations involved in
5 conservation efforts;

6 (vii) efforts to generate knowledge, in-
7 crease understanding, and enhance public
8 commitment to conservation;

9 (viii) design and implementation of
10 sound programs of land and ecosystem man-
11 agement; and

12 (ix) promotion of regenerative approach-
13 es in farming, forestry, and watershed
14 management.

15 (9) The Secretary of the Treasury is directed to—

16 (A) conduct an assessment of which institu-
17 tion can best serve as an international clearing
18 house to promote debt-for-nature exchanges, and
19 criteria to be used in conducting this assessment
20 shall include but is not limited to the ability of an
21 institution to act as an information agent for debt-
22 for-nature exchanges involving nongovernmental
23 organizations, financial institutions such as the
24 multilateral development banks, the International

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

(252)

115

1 Monetary Fund, private banks, and potential
2 donors;

3 (B) report the findings of this assessment
4 and a timetable for establishing such a clearing
5 house to the appropriate authorizing and appro-
6 priations committees within 6 months of the date
7 of enactment of this Act; and

8 (C) instruct the United States Executive Di-
9 rector to each multilateral development bank to
10 seek the implementation of the findings of the
11 Secretary.

12 (b) The United States Executive Directors of the multi-
13 lateral development banks shall negotiate with the other exec-
14 utive directors to provide guidelines for restoration, protec-
15 tion, or sustainable use policies. Pending the outcome of such
16 negotiations, the United States Executive Directors shall
17 consider restoration, protection, or sustainable use policies to
18 be those which—

19 (1) support development that maintains and re-
20 stores the renewable natural resource base so that
21 present and future needs of debtor countries' popula-
22 tions can be met, while not impairing critical ecosys-
23 tems and not exacerbating global environmental
24 problems;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(253)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

116

1 (2) be environmentally sustainable in that re-
2 sources are conserved and managed and used primarily
3 by the local population in an effort to remove pressure
4 on the natural resource base and to make judicious use
5 of the land so as to sustain growth and the availability
6 of all natural resources;

7 (3) support development that does not exceed the
8 limits imposed by local hydrological cycles, soil, cli-
9 mate, vegetation, and human cultural practices;

10 (4) promote the maintenance and restoration of
11 soils, vegetation, hydrological cycles, wildlife, critical
12 ecosystems (tropical forests, wetlands, and coastal
13 marine resources), biological diversity and other natu-
14 ral resources essential to economic growth and human
15 well-being and shall, when using natural resources, be
16 implemented to minimize the depletion of such natural
17 resources; and

18 (5) take steps, wherever feasible, to prevent pollu-
19 tion that threatens human health and important biotic
20 systems and to achieve patterns of energy consumption
21 that meet human needs and relies on renewable
22 resources.

23 (c) The United States Executive Directors shall endeavor
24 or to include the provisions of paragraphs (1)-(5) of subsec-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(254)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

117

tion (b) in the guidelines developed through the negotiations
specified in this subsection.

(d) The provisions of paragraphs (1)-(5) of subsection
(b) shall apply also to restoration, protection, or sustainable
use as used in section 631 of this Act.

(e) DEFINITION.—For the purposes of this section, the
term "multilateral development banks" refers to the Interna-
tional Bank for Reconstruction and Development (also
known as the "World Bank"), the Inter-American Develop-
ment Bank, the International Development Association, the
African Development Bank, and the Asian Development
Bank.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

255

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

13 **PART D—WILDLIFE AND NATURE PROTECTION**

Sections 641 and 642
(Membership in Tropical Timber
Organization as IUCN) opposite
House Section Number 6023

1 **SEC. 641. AUTHORIZATION OF APPROPRIATIONS FOR MEMBERSHIP**

2 **IN WILDLIFE CONVENTIONS.**

3 There are authorized to be appropriated to the President

4 \$1,511,000 for fiscal year 1990 in support of United States

5 participation in the following international environmental or-

6 ganizations and conventions of which not more than—

7 (1) \$650,000 shall be available for dues and ar-

8 rearages for United States contributions to the Conven-

9 tion on International Trade in Endangered Species of

10 Wild Fauna and Flora (CITES);

11 (2) \$231,000 shall be available for dues and ar-

12 rearages for United States contributions to the Inter-

13 national Tropical Timber Organization (ITTO);

14 (3) \$450,000 shall be available to support United

15 States participation in the World Heritage Conven-

16 tion; and

17 (4) \$180,000 shall be available to support United

18 States participation in the International Union for the

19 Conservation of Nature and Natural Resources.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

236

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 **PART E—GLOBAL WARMING**
21 **SEC. 651. REPORT CONCERNING GLOBAL WARMING PREVEN-**
22 **TION INFORMATION NETWORK.**
23 (a) **FINDINGS.**—*The Congress makes the following*
24 *findings:*
25 (1) *The United States, which chairs the response*
26 *strategies working group of the Intergovernmental*
1 *Panel on Climate Change (IPCC), has an interest in*
2 *preventing global warming.*
3 (2) *The Secretary of State urged other nations of*
4 *the world to reduce the generation of greenhouse gases*
5 *at the IPCC's first meeting.*
6 (3) *Information and technology available in the*
7 *United States, and internationally, on global warming*
8 *and related issues could substantially assist in reduc-*
9 *ing the generation of greenhouse gases in developing*
10 *countries and help prevent global warming.*
11 (b) **REPORT TO CONGRESS.**—(1) *Not more than 90*
12 *days after the date of the enactment of this Act, the Secretary*
13 *of State, in consultation with the heads of other Federal*
14 *agencies, shall prepare and submit to the Congress a report*
15 *on the feasibility of establishing a global warming prevention*
16 *information network to disseminate prompt, accurate, and*
17 *comprehensive information concerning matters pertaining to*
18 *global warming to foreign governments, business organiza-*
19 *tions, public and private institutions, and citizens of other*
20 *countries.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(257)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

<p>23 sions of greenhouse gases; and</p> <p>1 (viii) encourage international agreement and</p> <p>2 cooperation to reduce the generation of greenhouse</p> <p>'8 gases.</p>	<p>21 (2) Together with such other information as the Secre-</p> <p>22 tary of State considers appropriate, such report shall—</p> <p>23 (A) include recommendations as to the most ap-</p> <p>24 propriate means by which the dissemination of such in-</p> <p>25 formation may be achieved; and</p> <p>1 (B) evaluate, including relevant costs, the availabi-</p> <p>2 lity of information concerning methods and technol-</p> <p>3 ogies to—</p> <p>4 (i) reduce energy consumption through con-</p> <p>5 servation and energy efficiency;</p> <p>6 (ii) promote the use of solar and renewable</p> <p>7 energy sources that reduce the amount of green-</p> <p>8 house gases released into the atmosphere;</p> <p>9 (iii) develop safe, nontoxic replacements for</p> <p>10 chlorofluorocarbons and halons;</p> <p>11 (iv) promote the conservation of forest re-</p> <p>12 sources that help reduce the amount of carbon di-</p> <p>13 oxide in the atmosphere;</p> <p>14 (v) assist developing countries in ecological</p> <p>15 pest management practices and in the proper use</p> <p>16 of agricultural and industrial chemicals;</p> <p>17 (vi) promote recycling and source reduction</p> <p>18 in order to reduce the volume of waste that must</p> <p>19 be disposed of, thus decreasing energy use and</p> <p>20 greenhouse gas emissions;</p> <p>21 (vii) coordinate international research efforts</p>	
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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

258

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4 PART F—INTERNATIONAL ENVIRONMENTAL
5 EDUCATION

6 SEC. 661. POLICY REGARDING ENVIRONMENTAL LIBRARIES

7 It is the sense of the Congress that—

8 (1) the United States should promote and sup-
9 port—

10 (A) assistance to nongovernmental, independ-
11 ent libraries in regions with ecological crises and
12 limited access to literature related to such crises,
13 including those in Eastern Bloc countries,
14 notwithstanding section 620(f) of the Foreign As-
15 sistance Act of 1961; and

16 (B) contributions of corporate book invento-
17 ries and other items related to environmental pro-
18 tection to charitable organizations, as defined by
19 section 501(c)(3) of the Internal Revenue Code of
20 1986, assisting in regions of environmental crisis.
21 These contributions may include, but need not be
22 limited to—

23 (i) books and journals covering environ-
24 mental science and related fields; and

1 (ii) pollution monitoring equipment for
2 nongovernmental watchdog organizations in-
3 volved in environmental monitoring and re-
4 porting; and

5 (2) the Internal Revenue Service should interpret
6 section 170(e)(3) of the Internal Revenue Code of
7 1986 to include within the term "needy" libraries in
8 regions of environmental crisis that lack the capacity to
9 acquire basic environmental science literature.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

259

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 **PART G—MISCELLANEOUS PROVISIONS**
11 **SEC. 671. ENERGY EFFICIENCY TECHNOLOGY TRANSFER.**
12 *The Secretary of State, shall, six months after entry*
13 *into force of this legislation, submit to the Congress a report*
14 *of the political, economic, commercial, and security implica-*
15 *tions of assistance to foreign countries in the form of system-*
16 *atically organized and financed transfers of technology for*
17 *the purpose of improving energy efficiency and reducing*
18 *carbon emissions to the atmosphere. The report shall review*
19 *the extent to which such transfers may be deemed in the net*
20 *interests of the United States. In conducting such review, the*
21 *Secretary shall consider benefits of reduced emissions of*
22 *greenhouse gases that would result from such transfers as*
23 *well as any concerns regarding potential political, economic,*
24 *commercial, or security risks. Said report is to include com-*
25 *ments of the Secretary of Defense, the Secretary of Energy,*
1 *the Secretary of Commerce, and the Administrator of the*
2 *Environmental Protection Agency.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

260

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 672. INTERNATIONAL ENERGY CONFERENCE.

4 (a) FINDINGS.—The Senate finds that—

5 (1) the population of the world is predicted to
6 double within the next 36 years;

7 (2) about 90 percent of this enormous increase
8 will occur in developing nations;

9 (3) many scientists are predicting significant in-
10 creases in the planet's mean temperature in the next
11 50 to 60 years as the result of the accumulation of
12 carbon dioxide and other gases that are a product of
13 energy consumption;

14 (4) increases in energy consumption will accom-
15 pany the significant increase in population;

16 (5) such increased energy consumption will lead
17 to increased emissions of "greenhouse gases", which
18 could lead to even greater increases in temperature;
19 and

20 (6) the United States possesses the scientific and
21 technical expertise to develop new clean energy technol-
22 ogies to meet future energy needs of this planet.

23 (b) It is the sense of the Senate that the President of the
24 United States should persuade other world leaders to join in
25 convening an International Energy Conference, or use the

1 occasion of the third plenary session of the Intergovernmental
2 Panel on Climate Change, to bring the nations of the world
3 together to focus attention on international energy problems.

4 Such effort will identify ways and means of assisting lesser-
5 developed nations in the development of their energy needs,
6 through efficient and clean energy technologies that will
7 mitigate the alterations to the atmosphere that cause global
8 warming.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(261)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 SEC 673. POLICY ON GLOBAL CLIMATE CHANGE.
10 Section 1103 of Pubic Law 100-204 is amended by
11 inserting at the end of subsection (b), "The President shall
12 submit to Congress a coordinated national policy on global
13 climate change by February 1, 1990."

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

241

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

134

1 **TITLE VIII—PLO COMMITMENTS COMPLIANCE**
2 **ACT OF 1989**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the "PLO Commitments
5 Compliance Act of 1989".

6 **SEC. 802. FINDINGS.**

7 The Congress finds that—

8 (1) United States policy regarding contracts with
9 the Palestine Liberation Organization (including its
10 Executive Committee, the Palestine National Council,
11 and any constituent groups related thereto (hereafter in
12 this title referred to as the "PLO")) set forth in the
13 Memorandum of Agreement between the United States
14 and Israel, dated September 1, 1975, stated that the
15 United States "will not recognize or negotiate with the
16 Palestine Liberation Organization so long as the PLO
17 does not recognize Israel's right to exist and does not
18 accept United Nations Security Council Resolutions
19 242 and 338";

20 (2) section 1302 of the International Security
21 and Development Cooperation Act of 1985 (22 U.S.C.
22 2151 note; Public Law 99-83), effective October 1,
23 1985, stated that "no officer or employee of the United
24 States Government and no agent or other individual
25 acting on behalf of the United States Government shall

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

263

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

135

1 negotiate with the PLO or any representatives thereof
2 (except in emergency or humanitarian situations)
3 unless and until the PLO recognizes Israel's right
4 to exist, accepts United Nations Security Council
5 Resolutions 242 and 338, and renounces the use of
6 terrorism";

7 (3) the Department of State statement of Novem-
8 ber 26, 1988, found that "the United States Govern-
9 ment has convincing evidence that PLO elements have
10 engaged in terrorism against Americans and others"
11 and that "Mr. [Yasser] Arafat, Chairman of the PLO,
12 knows of, condones, and lends support to such acts; he
13 therefore is an accessory to such terrorism";

14 (4) Secretary of State Shultz declared on Decem-
15 ber 14, 1988, that "the [PLO] today issued a state-
16 ment in which it accepted United Nations Security
17 Council Resolutions 242 and 338, recognized Israel's
18 right to exist in peace and security, and renounced ter-
19 rorism. As a result, the United States is prepared for a
20 substantive dialog with PLO representatives";

21 (5) President Ronald Reagan, subsequent to the
22 decision to open a United States-PLO dialogue, stated
23 that the PLO "must demonstrate that its renunciation
24 of terrorism is pervasive and permanent" and if the

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

267

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

136

1 *PLO reneges on its commitments, the United States*
2 *"will certainly break off communications";*

3 (6) *since the United States agreed to enter into a*
4 *dialogue with the PLO, there have been several at-*
5 *tempted incursions into Israel by the following PLO-*
6 *affiliated groups: the Popular Struggle Front, the Pal-*
7 *estine Liberation Front, the Democratic Front for the*
8 *Liberation of Palestine, and the Islamic Jihad group;*

9 (7) *Yasser Arafat has not renounced any of these*
10 *incidents, that he has threatened "ten bullets in the*
11 *chest" to those Palestinians who advocate a cessation*
12 *of the unrest, and that his principal deputy, Abu Iyad,*
13 *as well as other senior Al-Fatah figures, have been*
14 *quoted as saying that the PLO recognition of Israel*
15 *and renunciation of terrorism is merely tactical and*
16 *that a Palestinian state is but the first step in the "lib-*
17 *eration of Palestine"; and*

18 (8) *that the United States should regularly evalu-*
19 *ate the PLO's compliance with the commitments made*
20 *by Yasser Arafat on behalf of the PLO in Geneva on*
21 *December 14, 1988.*

22 **SEC. 801. POLICY.**

23 (a) *IN GENERAL.—The Congress reiterates long-stand-*
24 *ing United States policy that any dialogue with the PLO be*
25 *contingent upon the PLO's recognition of Israel's right to*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

265

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

137

1 exist, its acceptance of United Nations Security Council
2 Resolutions 242 and 338, and its abstention from and renun-
3 ciation of all acts of terrorism.

4 (b) POLICY TOWARD IMPLEMENTATION OF PLO
5 COMMITMENTS.—It is the sense of the Congress that the
6 United States, in any discussions with the PLO, should
7 seek—

8 (1) the prevention of terrorism and other violent
9 activity by the PLO or any of its factions; and

10 (2) the implementation of concrete steps by the
11 PLO consistent with its commitments to recognize
12 Israel and renounce terrorism, including concrete ac-
13 tions that will further the peace process such as—

14 (A) disbanding units which have been in-
15 volved in terrorism;

16 (B) publicly condemning all acts of terror-
17 ism;

18 (C) ceasing the intimidation of Palestinians
19 who advocate a cessation of or who do not support
20 the unrest;

21 (D) calling on the Arab states to recognize
22 Israel and to end their economic boycott of Israel;
23 and

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

264

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

138

1 (E) amending the PLO's Covenant to
2 remove provisions which undermine Israel's legiti-
3 macy and which call for Israel's destruction.

4 (c) POLICY TOWARDS RECENT ARMED INCURSIONS
5 INTO ISRAEL BY PLO-AFFILIATED GROUPS.—During the
6 next round of talks with the PLO, should such talks occur
7 after the date of enactment of this Act, the representative of
8 the United States should obtain from the representative of the
9 PLO a full accounting of the following attempted incursions
10 into Israel which occurred after Yasser Arafat's statement of
11 December 14, 1988:

12 (1) On December 26, 1988, an attempted armed
13 infiltration into Israel by boat by four members of the
14 PLO-affiliated Popular Struggle Front.

15 (2) On December 28, 1988, an attempted armed
16 infiltration into Israel by three members of the PLO-
17 affiliated Palestine Liberation Front.

18 (3) On January 24, 1989, an unprovoked attack
19 on an Israeli patrol in Southern Lebanon by the
20 PLO-affiliated Palestine Liberation Front.

21 (4) On February 5, 1989, an attempted armed
22 infiltration into Israel by nine members of the PLO-
23 affiliated Palestine Liberation Front and Popular
24 Front for the Liberation of Palestine.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

139

1 (5) On February 23, 1989, an attempted attack
2 on targets in Israel by members of the PLO-affiliated
3 Democratic Front for the Liberation of Palestine.

4 (6) On February 27, 1989, a PLO-affiliated
5 Popular Front for the Liberation of Palestine ambush
6 of a pro-Israeli Southern Lebanese army vehicle.

7 (7) On March 2, 1989, an attempted armed infil-
8 tration into Israel by four members of the PLO-
9 affiliated Democratic Front for the Liberation of Pales-
tine headed for the civilian town of Zarit.

11 (8) On March 13, 1989, an attempted armed in-
12 filtration into Israel by three members of the PLO-
13 aligned Palestine Liberation Front.

14 (9) On March 15, 1989, an attempted attack on
15 Israel through Gaza by two members of the Islamic
16 Jihad group.

17 SEC. 804. REPORTING REQUIREMENT.

18 (a) REPORT ON ARMED INCURSIONS.—In the event
19 that talks are held with the PLO after the date of enactment
20 of this Act, the Secretary of State, shall, within 30 days after
21 the next round of such talks, report to the Senate any ac-
22 counting provided by the representative of the PLO of the
23 incidents described in section 803(c).

24 (b) REPORT ON COMPLIANCE WITH COMMIT-

25 MENTS.—Beginning 30 days after the date of enactment of

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(265)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

140

1 *this Act, and every 120 days thereafter in which the dialogue*
2 *between the United States and the PLO has not been discon-*
3 *tinued, the President shall submit to the Speaker of the*
4 *House of Representatives and the chairman of the Committee*
5 *on Foreign Relations of the Senate a report, in unclassified*
6 *form to the maximum extent practicable, regarding progress*
7 *toward the achievement of the measures described in section*
8 *803(b). Such report shall include—*

9 (1) *a description of actions or statements by the*
10 *PLO as an organization, its Chairman, members of its*
11 *Executive Committee, members of the Palestine Na-*
12 *tional Council, or any constituent groups related there-*
13 *to, as they relate to the Geneva commitments of De-*
14 *cember 1988 regarding cessation of terrorism and rec-*
15 *ognition of Israel's right to exist, including actions or*
16 *statements that contend that the declared "Palestinian*
17 *state" encompasses all of Israel;*

18 (2) *a description of the steps, if any, taken by the*
19 *PLO to evict or otherwise discipline individuals or*
20 *groups taking actions inconsistent with the Geneva*
21 *commitments;*

22 (3) *a statement of whether the PLO, in accord-*
23 *ance with procedures in Article 33 of the Palestinian*
24 *National Covenant, has repealed provisions in that*
25 *Covenant which call for Israel's destruction;*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

267

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

141

1 (4) a statement of whether the PLO has repudiat-
2 ed its "strategy of stages" whereby it seeks to use a
3 Palestinian state in the West Bank and Gaza as the
4 first step in the total elimination of the state of Israel;

5 (5) a statement of whether the PLO has called on
6 any Arab state to recognize and enter direct negotia-
7 tions with Israel or to end its economic boycott of
8 Israel;

9 (6) a statement of whether "Force 17" and the
10 "Hawari Group", units directed by Yasser Arafat that
11 have carried out terrorist attacks, have been disbanded
12 and not reconstituted under different names;

13 (7) a statement of whether the following PLO
14 constituent groups conduct or participate in terrorist or
15 other violent activities: the Fatah; the Popular Front
16 for the Liberation of Palestine; the Democratic Front
17 for the Liberation of Palestine; the Arab Liberation
18 Front; the Palestine Liberation Front;

19 (8) a statement of the PLO's position on the
20 unrest in the West Bank and Gaza, and whether the
21 PLO threatens, through violence or other intimidation
22 measures, Palestinians in the West Bank and Gaza
23 who advocate a cessation of or who do not support the
24 unrest, and who might be receptive to taking part in
25 elections there;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

279

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

142

1 (9) a statement of the position of the PLO regard-
2 ing the prosecution and extradition, if so requested, of
3 known terrorists such as Abu Abbas, who directed the
4 Achille Lauro hijacking during which Leon Kling-
5 hoffer was murdered, and Muhammed Rashid, impli-
6 cated in the 1982 bombing of a PanAm jet and the
7 1986 bombing of a TWA jet in which four Americans
8 were killed; and

9 (10) a statement of the position of the PLO on
10 providing compensation to the American victims or the
11 families of American victims of PLO terrorism.

12 (c) REPORT ON POLICIES OF ARAB STATES.—Not
13 more than 30 days after the date of enactment of this Act, the
14 Secretary of State shall prepare and submit to the Congress
15 a report concerning the policies of Arab states toward the
16 Middle East peace process, including progress toward—

17 (1) public recognition of Israel's right to exist in
18 peace and security;

19 (2) ending the Arab economic boycott of Israel;
20 and

21 (3) ending efforts to expel Israel from internation-
22 al organizations or denying participation in the activi-
23 ties of such organizations.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

271

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

143

1 **TITLE IX—PEOPLE'S REPUBLIC OF CHINA**

2 **SEC. 901. POLICY TOWARD ADDITIONAL SANCTIONS AGAINST**

3 **THE PEOPLE'S REPUBLIC OF CHINA.**

4 **(a) IN GENERAL.—The Senate hereby—**

5 **(1) condemns the Government of the People's Re-**
6 **public of China for carrying out massive arrests and**
7 **numerous executions of students and workers who**
8 **participated in the prodemocracy movement in that**
9 **country;**

10 **(2) commends the President for taking additional**
11 **measures against the Government of the People's Re-**
12 **public of China in response to those arrests and execu-**
13 **tions; and**

14 **(3) urges additional measures be taken against**
15 **the Government of the People's Republic of China to**
16 **discourage additional arrests and executions.**

17 **(b) ADDITIONAL MEASURES.—It is the sense of the**
18 **Senate that—**

19 **(1) the President urge the Export-Import Bank of**
20 **the United States to postpone immediately approval of**
21 **any application for financing United States exports to**
22 **the People's Republic of China;**

23 **(2) under the direction of the Secretary of the**
24 **Treasury, the United States executive directors of the**
25 **appropriate international financial institutions should**

22

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

144

1 *oppose the extension of loans or any other financial as-*
2 *istance by such institutions to the People's Republic*
3 *of China;*
4 *(3) the President should immediately review—*
5 *(A) the advisability of continuing to extend*
6 *most-favored-nation (MFN) trade treatment to*
7 *Chinese products;*
8 *(B) all bilateral trade agreements between*
9 *the United States and the People's Republic of*
10 *China;*
11 *(C) the bilateral commercial agreements gov-*
12 *erning Chinese-American cooperation on satellite*
13 *launches; and*
14 *(D) the Chinese-American Agreement for*
15 *Cooperation on the Peaceful Uses of Atomic*
16 *Energy, signed at Washington on July 23, 1985;*
17 *and*
18 *(4) the President should consult—*
19 *(A) with the allies of the United States at*
20 *the upcoming Economic Summit regarding the*
21 *feasibility of adopting a collective economic re-*
22 *sponse to the recent, tragic events in China;*
23 *(B) with the members of the Coordinating*
24 *Committee on Exports to Communist Countries*
25 *(COCOM) regarding the suspension of any fur-*

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

145

1 *ther easing of export controls with respect to*
2 *China and for the purpose of reviewing the cur-*
3 *rent favorable treatment accorded to high tech-*
4 *nology exports to the People's Republic of China;*
5 *and*

6 *(C) with the other signatories of the General*
7 *Agreement on Tariffs and Trade (GATT) for the*
8 *purpose of reviewing the People's Republic of*
9 *China's observer status at meetings on GATT*
10 *and reassessing the People's Republic of China's*
11 *right to accede to GATT.*

12 *(c) HUMAN RIGHTS.—*

13 *(1) The President should emphasize to the Gov-*
14 *ernment of the People's Republic of China that an im-*
15 *portant factor in our relationship will be the degree to*
16 *which they recognize the Chinese and Tibetan peoples'*
17 *legitimate desires for democracy, human rights and*
18 *simple justice.*

19 *(2) It is the sense of the Congress that—*

20 *(A) the President should ask the United Na-*
21 *tions Commission on Human Rights to initiate*
22 *an investigation into the condition of human and*
23 *democratic rights in China including Tibet;*

24 *(B) the President should convey to the Gov-*
25 *ernment of the People's Republic of China that*

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

274

146

1 the lifting of martial law, the release of political
2 prisoners, and the opening of Tibet to foreigners is
3 a critical factor in the future improvement of rela-
4 tions; and

5 (C) towards Hong Kong the President and
6 the Secretary of State should convey to the Peo-
7 ple's Republic of China the importance of living
8 up to its international undertaking with respect to
9 the 1984 Joint Declaration for the future prosper-
10 ity and stability of Hong Kong. The Secretary of
11 State should advise the United Kingdom of the
12 United States continuing concern about the ab-
13 sence of guarantees of free direct elections and
14 human rights in the Joint Declaration.

15 (d) SUSPENSIONS.—

16 (1) OVERSEAS PRIVATE INVESTMENT CORPORA-
17 TION.—The Overseas Private Investment Corporation
18 shall suspend the issuance of any new insurance, rein-
19 surance, guarantees, financing, or other financial sup-
20 port with respect to the People's Republic of China for
21 a period of 6 months from the date of enactment of this
22 Act, unless the President makes a report under subsec-
23 tion (e) of this section.

24 (2) TRADE AND DEVELOPMENT PROGRAM.—The

25

President shall suspend the use of any funds made

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

147

1 available to carry out section 661 of the Foreign As-
2 sistence Act of 1961, for activities of the Trade and
3 Development Program with respect to the People's Re-
4 public of China for a period of 6 months from the date
5 of enactment of this Act, unless the President makes a
6 report under subsection (e) of this section.

7 (3) MUNITIONS EXPORT LICENSES.—The issu-
8 ance of licenses under section 38 of the Defense Trade
9 and Export Control Act for the export to the People's
10 Republic of China of any defense article on the United
11 States Munitions List, including helicopters and heli-
12 copter parts, shall, subject to subsection (e), continue to
13 be suspended unless the President makes a report
14 under subsection (e) of this section.

15 (4) CRIME CONTROL AND DETECTION INSTRU-
16 MENTS AND EQUIPMENT.—The issuance of any li-
17 cense under section 6(k) of the Export Administration
18 Act of 1979 for the export to the People's Republic of
19 China of any crime control or detection instruments or
20 equipment shall be suspended, unless the President
21 makes a report under subsection (e) of this section.

22 (5) EXPORT OF SATELLITES FOR LAUNCH BY
23 THE PEOPLE'S REPUBLIC OF CHINA.—Any license
24 for the export of a satellite of United States origin that
25 is intended for launch from a launch vehicle owned by

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

276

148

1 the People's Republic of China, whose export is subject
2 to section 36(c) of the Arms Export Control Act on
3 September 12, 1988, shall be suspended unless the
4 President makes a report under subsection (e) of this
5 section.

6 (6) NUCLEAR COOPERATION WITH THE PEOP-
7 LE'S REPUBLIC OF CHINA.—(A) Any—

8 (i) application for a license under the Export
9 Administration Act of 1979 for the export to the
10 People's Republic of China for use in a nuclear
11 production or utilization facility of any goods or
12 technology which, as determined under section
13 309(c) of the Nuclear Non-proliferation Act of
14 1978, could be of significance for nuclear explo-
15 sive purposes, or which, in the judgment of the
16 President, is likely to be diverted for use in such
17 a facility, for any nuclear explosive device, or for
18 research on or development of any nuclear explo-
19 sive device, shall be suspended;

20 (ii) application for a license for the export to
21 the People's Republic of China of any nuclear
22 material, facilities, or components subject to the
23 Agreement shall be suspended;

24 (iii) approval for the transfer or retransfer to
25 the People's Republic of China of any nuclear

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

149

1 material, facilities, or components subject to the
2 Agreement shall not be given; and

3 (iv) specific authorization for assistance in
4 any activities with respect to the People's Repub-
5 lic of China relating to the use of nuclear energy
6 under section 57 b. (2) of the Atomic Energy Act
7 of 1954 shall not be given;

8 until—

9 (i) the President has certified to the Congress
10 that the People's Republic of China has provided
11 clear and unequivocal assurances to the United
12 States that it is not assisting and will not assist
13 any non-nuclear weapons state, either directly or
14 indirectly, in acquiring nuclear explosive devices
15 or the materials and components for such devices;

16 (ii) the President has made the certifications
17 and submitted the report required by Public Law
18 99-183; and

19 (iii) the President makes a report under sub-
20 section (e) of this section.

21 (B) For purposes of this paragraph, the term
22 "Agreement" means the Agreement for Cooperation
23 Between the Government of the United States of
24 America and the Government of the People's Republic

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

(278)

150

1 of China Concerning Peaceful Uses of Nuclear
2 Energy, done on July 23, 1985.

3 (7) LIBERALIZATION OF EXPORT CONTROLS.—

4 The President shall negotiate with the governments
5 participating in the group known as the Coordinating
6 Committee to suspend, on a multilateral basis, any lib-
7 eralization by the Coordinating Committee of controls
8 on exports of goods and technology to the People's Re-
9 public of China under section 5 of the Export Admin-
10 istration Act of 1979, including—

11 (A) the implementation of bulk licenses for
12 exports to the People's Republic of China; and

13 (B) the raising of the performance levels of
14 goods or technology below which no authority or
15 permission to export to the People's Republic of
16 China would be required.

17 The President shall oppose any liberalization by the
18 Coordinating Committee of controls which is described
19 in subparagraph (B), until the end of the 6-month
20 period beginning on the date of enactment of this Act,
21 or until the President makes a report under subsection
22 (e) of this section, whichever occurs first.

23 (e) TERMINATION OF SUSPENSIONS.—A report re-
24 ferred to in subsection (d) is a report by the President to the
25 Congress—

174

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

151

1 (1) that the Government of the People's Republic
2 of China has made progress on a program of political
3 reform throughout the entire country, which includes—

4 (A) lifting of martial law;

5 (B) halting of executions and other reprisals
6 against individuals for the nonviolent expression
7 of their political beliefs;

8 (C) release of political prisoners;

9 (D) increased respect for internationally rec-
10 ognized human rights, including freedom of ex-
11 pression, the press, assembly, and association; and

12 (E) permitting a freer flow of information,
13 including an end to the jamming of Voice of
14 America and greater access for foreign journalists;

15 or

16 (2) that it is in the national interest of the United
17 States to terminate a suspension under paragraph (1),
18 (2), (3), (4), or (5), to terminate a suspension or disap-
19 proval under paragraph (6), or to terminate the opposi-
20 tion required by paragraph (7), as the case may be.

21 (f) APPLICABILITY OF SUBSECTION (D)(3).—The sus-
22 pension set forth in subsection (d)(3) shall not apply to sys-
23 tems and components designed specifically for inclusion in
24 civil products and controlled as defense articles only for pur-
25 poses of export to a controlled country, unless the President

287

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATIVE POSITION/NOTES

152

1 determines that the intended recipient of such items is the
2 military or security forces of the People's Republic of China.

3 (g) REPORTING REQUIREMENT.—It is the sense of the
4 Senate that, 30 days after the date of enactment of this Act,
5 the President should inform the Congress of—

6 (1) the results of his review of the bilateral rela-
7 tionship between the United States and the People's
8 Republic of China and his consultations with the
9 major allies of the United States regarding each ally's
10 economic, commercial, and security relations with the
11 People's Republic of China, as called for by Senate
12 Resolution 142 (adopted June 6, 1989); and

13 (2) his actions pursuant to subsection (c).

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

14 TITLE X—MISCELLANEOUS PROVISIONS

Sec. 1001 - Inter American Foundation -
See opposite House 701

153

1 SEC. 1002. CONSIDERATION BY SENATE COMMITTEES OF CER-

2 TAIN EXPEDITED LEGISLATION.

3 Section 481(h)(6)(B) of the Foreign Assistance Act of

4 1961 (22 U.S.C. 2291(h)(6)(B)) is amended to read as

5 follows:

6 "(B) For the purpose of expediting the consideration

7 and enactment of joint resolutions under this subsection, a

8 motion to proceed to the consideration of any such joint reso-

9 lution after it has been reported by the appropriate committee

10 shall be treated as privileged in the Senate or as highly privi-

11 leged in the House of Representatives."

Sec. 1003 - Munitions Control Licenses -
See opposite House Sec. 124

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

242

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 1004. PROCEDURES FOR ISSUANCE OF COMMERCIAL ARMS
18 EXPORT LICENSES.
19 Section 38(g) of the Arms Export Control Act (22
20 U.S.C. 2778(g)) is amended by adding at the end thereof the
21 following new paragraph:
22 "(10) In order to assure prompt processing of license
23 applications under this section, the office primarily responsi-
24 ble for export licensing functions under this section shall—
1 "(A) notify applicants, within 10 days of receiv-
2 ing an application, of any outside agency referrals the
3 application must undergo;
4 "(B) set 30 calendar days as a target for making
5 a determination on most license applications for ex-
6 ports to any member country of the North Atlantic
7 Treaty Organization (NATO) and other major allies,
8 as determined in accordance with section 27 of this
9 Act; and
10 "(C) report on a semiannual basis to the Commit-
11 tee on Foreign Relations of the Senate and the Com-
12 mittee on Foreign Affairs of the House of Representa-
13 tives as to what percentage of cases handled in the pre-
14 vious period have fallen within these time frames."

(283)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

15 SEC. 1003. PROHIBITION ON THE USE OF MILITARY ITEMS IN
16 TIBET.

17 (a) RESTRICTION ON ARMS TRANSFERS.—No defense
18 article on the United States Munitions List, including heli-
19 copters and helicopter parts, may be sold or transferred to the
20 People's Republic of China if any United States supplied
21 military equipment is used by the People's Republic of
22 China to enforce martial law in Tibet, to suppress demon-
23 strations by the Tibetan people, or to support violations of the
24 human rights of the Tibetan people.

1 (b) CERTIFICATION REQUIRED.—Before the issuance
2 of any license for the export to the People's Republic of
3 China of an item on the United States Munitions List, the
4 President shall certify to the Speaker of the House of Repre-
5 sentatives and the chairman of the Committee on Foreign
6 Relations of the Senate that no United States defense article
7 has been used in the previous year, or is being used, to en-
8 force martial law in Tibet, to suppress demonstrations by the
9 Tibetan people, or to support violations of the human rights
10 of the Tibetan people.

11 (c) TERMINATION DATE.— This section shall termi-
12 nate October 1, 1993.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

13 SEC. 1006. USE OF HERBICIDES FOR DRUG ERADICATION.
14 (a) IN GENERAL.—For each foreign country in which
15 the Department of State uses, or approves for use, a herbicide
16 for the purpose of eradicating coca or opium by aerial appli-
17 cation, the Assistant Secretary for International Narcotics
18 Matters shall submit to the Congress a report determining—
19 (1) the expected impact of that eradication on the
20 price and availability of cocaine and heroin in the
21 United States;
22 (2) the extent to which aerial eradication could
23 encourage coca or opium growers to align themselves
24 with insurgent groups against legitimate governmental
25 authorities, and the consequences for broader United
1 States foreign policy objectives of strengthening such
2 insurgent groups;
3 (3) the total dollar amount of assistance given by
4 the United States, international organizations, and
5 local governments to help coca and opium growers in
6 aerial eradication zones shift to production of licit
7 crops, and the likelihood that such assistance will be
8 adequate for this purpose;
9 (4) what countermeasures coca and opium growers
10 may take in response to aerial eradication of their
11 crops, including adoption of guerrilla farming tech-
12 niques and shifting of cultivation to more isolated
13 areas; and

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

14 (5) what countermeasures may be taken against
15 aerial eradication by illicit drug cartels, including
16 their recruitment of new growers in more isolated
17 areas.

18 (b) TIME FOR SUBMISSION OF THE REPORT.—For
19 each country in which aerial coca or opium eradication pro-
20 grams are underway on the date of enactment of this Act, the
21 Secretary of State shall submit the report required by this
22 section as part of the annual report required by section
23 481(e) of the Foreign Assistance Act of 1961. For each coun-
24 try for which the Secretary approves the use of herbicides for
25 aerial coca or opium eradication, but in which the eradica-
tion program is not underway on the date of enactment of this
Act, the Secretary shall submit the report required by this
section 60 days before the beginning of the eradication
program.

5 (c) LIMITATION ON USE OF EQUIPMENT.—No equip-
6 ment or aircraft made available to a foreign country for nar-
7 cotics control purposes under section 482 of the Foreign As-
8 sistance Act of 1961 may be used or deployed in a location to
9 which representatives of the United States Government are
10 not permitted substantially free access by the government of
11 that country.

SEC. 1007 - REPORT CONCERNING MEXICO
SEE OPPOSITE HOUSE SECTION 140.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

12 SEC. 1008. PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY
13 BOARD.

14 (a) FINDINGS.—The Congress finds that—

15 (1) pursuant to Executive Order 12537, issued
16 on October 28, 1985, the President established the
17 President's Foreign Intelligence Advisory Board;

18 (2) the President's Foreign Intelligence Advisory
19 Board is charged with, among other responsibilities,
20 assessing the quality, quantity, and adequacy of intel-
21 ligence collection, of analysis and estimates, of counter-
22 intelligence, and other intelligence activities;

23 (3) to fulfill its responsibilities, the President's
24 Foreign Intelligence Advisory Board is provided access
1 to certain proprietary information necessary to carry
2 out its duties; and

3 (4) in light of the sensitive nature of the responsi-
4 bilities of and the information provided to the Presi-
5 dent's Foreign Intelligence Advisory Board, it is in the
6 interest of the United States for members of the Board
7 to disclose fully each source of income and not be be-
8 holden to any foreign government and, as such, it is
9 inappropriate for members of the Board to derive
10 income from foreign governments or foreign government
11 controlled entities.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

12 (b) *REPORT.*—Not later than 30 days after the date of
13 enactment of this Act, and every 180 days thereafter, each
14 member of the President's Foreign Intelligence Advisory
15 Board shall file with the Office of Government Ethics a full
16 financial disclosure report, the contents of which shall in-
17 clude all information provided for in section 202 of title 5,
18 United States Code.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

19 SEC. 1009. ESTABLISHMENT OF PACIFIC BASIN FORUM.
20 (a) CONGRESSIONAL FINDING.—The Congress finds
21 that—
22 (1) the growing importance of United States eco-
23 nomic, diplomatic, and security relations with the na-
24 tions of the Pacific Basin present new opportunities for
25 American initiatives in the Pacific Century ahead;
1 (2) unprecedented economic growth in East Asia
2 is promoting prosperity, while introducing new trade
3 tensions into crucial bilateral relationships;
4 (3) encouraging economic developments have
5 spurred constructive moves to allow more democratic
6 freedoms in several East Asian nations;
7 (4) East Asia remains the site of significant re-
8 gional conflicts which would greatly benefit from a
9 broader dialogue on confidence-building measures; and
10 (5) new diplomatic initiatives by numerous Pacif-
11 ic Rim countries require a thoughtful American re-
12 sponse, carefully coordinated with friendly nations in
13 the Pacific Basin.
14 (b) FINDING AND DECLARATION.—The Congress
15 hereby finds and declares that it is in the interest of the
16 United States to pursue the establishment of a Pacific Basin
17 Forum for the discussion of economic, diplomatic, and other
18 issues unique to the region.

229

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

19 (c) *POLICY.—In seeking the establishment of a Pacific*
20 *Basin Forum, the United States shall encourage the ex-*
21 *change of proposals to promote free trade and economic devel-*
22 *opment and to reduce military tensions in the region.*

23 (d) *ANNUAL SUMMIT MEETING.—The President is*
24 *urged to issue a call for the convening of an annual summit*
25 *meeting with the leaders of key Pacific Rim nations. This*

1 *group of leaders should have the broadest possible composi-*
2 *tion to facilitate dialogue on issues of mutual concern.*

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1010. DEMOCRACY, HUMAN RIGHTS, AND JUSTICE IN THE
4 PEOPLE'S REPUBLIC OF CHINA.
5 (a) FINDINGS.—The Congress finds that—
6 (1) the United States was founded on the demo-
7 cratic principles that all men are created equal and en-
8 titled to the exercise of their human rights;
9 (2) the advancement of democracy and human
10 rights are prime objectives of the foreign policy of the
11 United States;
12 (3) the fundamental rights of freedom of speech,
13 press, and peaceful assembly have not been adequately
14 respected in the People's Republic of China;
15 (4) the exercise of religious activities has a severe-
16 ly detrimental effect on a participant's civil, social,
17 and economic status within the People's Republic of
18 China;
19 (5) the freedom of movement and the freedom to
20 form independent trade unions, student organizations,
21 and other voluntary associations are curtailed;
22 (6) led by the Independent Student Union of
23 Beijing Universities, the Chinese people have demon-
24 strated their desire for democracy, human rights, and
1 an end to corruption in the People's Republic of
2 China; and
3 (7) the American people desire to extend their
4 moral support to the struggle for democracy, liberty,

(29)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

6 (b) SENSE OF THE CONGRESS.—It is the sense of the
7 Congress that—
8 (1) the leadership of the People's Republic of
9 China should take all necessary steps to establish a
10 just and democratic society, with a free and open polit-
11 ical system that will protect the essential human rights
12 of all people living within that country; and
13 (2) the Secretary of State should communicate to
14 the leadership of the People's Republic of China that
15 official violence directed at those who would peacefully
16 demonstrate for democracy, liberty and justice will se-
17 riously damage relations with the United States.

(472)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

18 SEC. 1011. SUPPORT FOR THE BENJAMIN FRANKLIN HOUSE
19 MUSEUM AND LIBRARY.

20 (a) FINDINGS.—The Congress finds that—

21 (1) the former London residence of Benjamin
22 Franklin is the only surviving home of Benjamin
23 Franklin existing today and should be preserved to
24 commemorate his great contributions to human liberty,
25 science, and education; and

1 (2) the Friends of Benjamin Franklin House and
2 the American Franklin Friends Committee are twin
3 charities dedicated to the restoration, preservation, and
4 maintenance of the Benjamin Franklin House as a
5 museum and library open to the public.

6 (b) POLICY OF SUPPORT.—The Congress hereby—

7 (1) urges the people of the United States to recog-
8 nize June 17, 1990, as the bicentennial of Benjamin
9 Franklin's death and to celebrate Franklin's long and
10 distinguished public service, his scientific and literary
11 achievements, and his role as a Founding Father of
12 our country; and

13 (2) calls on the relevant agencies and departments
14 of the Federal Government of the United States to rec-
15 ognize the important goals of the Friends of Benjamin
16 Franklin House and the American Franklin Friends
17 Committee.

243

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

18 SEC 1012. REPORT CONCERNING AN INTERNATIONAL AGRICUL-
19 TURAL CONSERVATION RESERVE.

20 (a) CONGRESSIONAL FINDINGS.—The Congress finds
21 that—

22 (1) approximately one-fifth of the world's cropland
23 is experiencing an intolerable rate of soil erosion;

24 (2) the cost of farm program subsidies is at record
25 levels in many nations; and

1 (3) the United States has taken the initiative of
2 enrolling 31 million acres of agricultural land in a 10-
3 year Conservation Reserve Program;

4 (4) world food production historically has in-
5 creased at an annual rate of 2.5 percent, but world
6 food production during the 1980's has increased at an
7 average rate of more than 3 percent annually;

8 (5) other grain surplus producing nations have
9 expressed a need to limit agricultural production; and

10 (6) all nations would benefit from the decreased
11 agricultural subsidies and stabilized food production an
12 international agricultural conservation reserve could
13 provide.

14 (b) REPORT REQUIRED.—

15 (1) Not more than 90 days after the date of the
16 enactment of this Act, the Secretary of State shall, in
17 consultation with other Federal agencies, prepare and
18 submit a report to the Congress on the feasibility of ne-

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

20 *lish an international agricultural conservation reserve*
21 *to protect fragile agricultural soils.*

22 *(2) Together with such information as the Secre-*
23 *tary of State considers appropriate, the report required*
24 *by paragraph (1) shall include an evaluation of the*
25 *following principles:*

1 *(A) All signatory nations should agree not to*
2 *bring virgin land into crop production and should*
3 *agree to return a certain percentage of existing*
4 *cropland to its natural state and keep it out of*
5 *production for a minimum of 10 years.*

6 *(B) The amount of land to be taken out of*
7 *production should be large enough to bring grain*
8 *supplies in line with demand while still maintain-*
9 *ing an adequate emergency food reserve.*

10 *(C) Sound conservation practices should be*
11 *implemented to control soil erosion on cropland*
12 *taken out of production.*

13 *(D) Emergency provisions should allow a*
14 *portion of the land of all signatory nations to be*
15 *put back into production if stocks fall below the*
16 *level established for an emergency food reserve.*

17 *(E) Individual nations could be permitted to*
18 *return a portion of their reserve land to produc-*
19 *tion if their production did not meet domestic*
20 *consumption demand.*

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

215
295

21 SEC. 1013. HIGH SEAS DRIFTNET FISHING.

22 (a) CONGRESSIONAL FINDINGS.—The Congress finds
23 that—

24 (1) fisheries currently conducted in the interna-
25 tional waters of the North Pacific Ocean, including the
1 Bering Sea, by foreign vessels using long plastic drift-
2 nets result in the entanglement and death of enormous
3 numbers of both target and non-target marine re-
4 sources;

5 (2) the losses of valued non-target species in such
6 fisheries may reach tens of thousands of marine mam-
7 mals, hundreds of thousands of seabirds, millions of
8 salmonids, and unknown numbers of other species;

9 (3) the salmon and steelhead trout intercepted in
10 such fisheries are commercially and recreationally val-
11 uable anadromous species, and include large numbers
12 of fish from stocks that spawn in the waters of the
13 United States, and that remain under United States
14 jurisdiction while in waters outside the exclusive eco-
15 nomic zone and territorial sea of any nation;

16 (4) the unauthorized taking of anadromous species
17 subject to the jurisdiction of the United States is un-
18 lawful;

19 (5) the efficiency with which driftnets intercept
20 and harvest large numbers of salmon and steelhead
21 trout has encouraged the development of international
22 trading in fish taken illegally in driftnet fisheries on

296

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

24 (6) economic losses to the citizens of the United
25 States from such illegal fishing and fish marketing are
1 estimated to be as much as several hundred million
2 dollars annually;
3 (7) the Congress has demonstrated its deep con-
4 cern about the effects of driftnet fisheries by the pas-
5 sage of the Driftnet Impact Monitoring, Assessment
6 and Control Act of 1987 (16 U.S.C. 1822 note), often
7 called "the Driftnet Act";
8 (8) the Driftnet Act called upon the Secretary of
9 Commerce, through the Secretary of State and in con-
10 sultation with the Secretary of the Interior, to negoti-
11 ate agreements with each foreign government that per-
12 mits its nationals to engage in driftnet fishing which
13 results in the taking of marine resources of the United
14 States on the high seas;
15 (9) the Driftnet Act required that such agreements
16 provide for statistically reliable monitoring and assess-
17 ment of the numbers of marine resources of the United
18 States killed by driftnet vessels, and for certain meas-
19 ures necessary for effective enforcement of applicable
20 laws, regulations, and agreements;
21 (10) an agreement has been negotiated with the
22 Government of Japan; and
23 (11) many individuals and interest groups in the
24 United States have expressed grave doubts about the

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 *ment of Japan to meet the requirements of the Driftnet*
2 *Act in a number of important respects, including sta-*
3 *tistically reliable monitoring and effective enforcement.*
4 *(b) SENSE OF THE SENATE.—It is the sense of the*
5 *Senate that the agreement with the Government of Japan*
6 *should be interpreted to ensure at a minimum that, for the*
7 *1990 fishing season—*
8 *(1) an electronic position-indicating and vessel-*
9 *identification device will be installed and operating*
10 *aboard all Japanese vessels which fish with driftnets in*
11 *the North Pacific Ocean outside the exclusive economic*
12 *zone or territorial sea of any nation, including, but not*
13 *limited to, the vessels of the squid-fishing large-mesh,*
14 *land-based salmon, and mothership-based salmon drift-*
15 *net fleets; and*
16 *(2) a sufficient number of observers will be placed*
17 *aboard vessels of each driftnet fleet to ensure the collec-*
18 *tion of statistically reliable data on the numbers of*
19 *marine resources of the United States killed by the*
20 *vessels of each fleet.*

(298)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

21 SEC. 1014. CHEMICAL AND BIOLOGICAL WEAPONS SUPPLIERS

22 GROUP.

23 (a) CONGRESSIONAL FINDINGS.—The Congress finds
24 that—

1 (1) the danger of chemical and biological weapons
2 proliferation has reached alarming proportions;

3 (2) several less developed nations have acquired
4 chemical and biological feedstocks, technology, and
5 equipment that could be used to manufacture chemical
6 and biological weapons;

7 (3) the principal source of the material needed to
8 manufacture such weapons is commercial firms in de-
9 veloped nations; and

10 (4) preventing the proliferation of chemical and
11 biological weapons would be facilitated by the estab-
12 lishment of an organization of supplier nations, similar
13 in nature to the Coordinating Committee (COCOM) of
14 supplier nations that coordinates controls on sensitive
15 technology exports.

16 (b) POLICY.—It is the sense of the Congress that the
17 Government of the United States should initiate the estab-
18 lishment of a formal COCOM-type organization of supplier
19 nations for the purpose of coordinating policies to control the
20 export of chemicals, biological agents, technology, equipment,
21 and any other materiel that can be used in the manufacture
22 of chemical and biological weapons.

(199)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 1015. REPORT ON A MONITORING SYSTEM FOR THE INF
2 TREATY.
3 The Secretary of State is requested to report to the
4 Senate by September 30, 1989, why the United States' Car-
5 goscan x-ray monitoring system for the Intermediate-Range
6 Nuclear Forces Treaty was not installed at the United
7 States' Volkinsk Portal Monitoring facility inside the Soviet
8 Union by December 1, 1988, as provided for in the terms of
9 the Treaty, and further, when the Cargoscan system will be
10 operational at Volkinsk.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 1016. PRESIDENTIAL REPORT ON THE FEASIBILITY OF A
12 NATO-WARSAW PACT MILITARY COMMUNICA-
13 TIONS LINK.

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) The Stockholm Document of September 19,
17 1986, the first East-West security accord in more than
18 ten years, brought into force significant confidence-
19 and security-building measures in Europe.

20 (2) The United States has entered into the Nego-
21 tiations on Confidence and Security Building Meas-
22 ures with the goal of a more stable and secure Europe.

23 (3) These negotiations have focused on measures
24 to reduce mistrust and misunderstanding about mili-
25 tary capabilities and intentions by increasing openness
26 and predictability in the military environment.

1 (4) The Congress supports President Bush's ef-
2 forts to make progress in all areas of arms control and
3 supports his recent initiatives in the area of conven-
4 tional arms control.

5 (5) The United States and the Soviet Union
6 signed the Agreement on the Prevention of Incidents
7 On and Over the High Seas on May 25, 1972.

8 (6) The United States and the Soviet Union
9 signed the Nuclear Risk Reduction Center Agreement
10 on September 15, 1987.

(b)(1)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

11 (7) *The United States and the Soviet Union*
12 *signed the Agreement on the Prevention of Dangerous*
13 *Military Activities on June 12, 1989.*

14 (8) *The Congress believes that a direct military-*
15 *to-military communications link between NATO and*
16 *the Warsaw Pact could prevent misunderstanding in*
17 *the event of unpredicted military activities or incidents,*
18 *such as the recent incident in which a Soviet MiG-23*
19 *transited NATO airspace and crashed in Belgium.*

20 (9) *The Congress believes such a direct military*
21 *to military communications link could complement*
22 *United States efforts in the area of confidence- and se-*
23 *curity-building measures.*

24 (b) *SENSE OF CONGRESS.—In light of the findings in*
25 *subsection (a), it is the sense of Congress that the President*
1 *should raise and request that our NATO allies consider the*
2 *concept of a direct military to military communications link*
3 *between NATO and the Warsaw Pact at the appropriate*
4 *NATO forum.*

5 (c) *PRESIDENTIAL REPORT.—The President shall*
6 *submit to Congress, not later than December 1, 1989, a*
7 *report on the technical feasibility, operational characteristics,*
8 *and costs of establishing a direct military-to-military commu-*
9 *nications link between NATO and the Warsaw Pact.*

(302)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

10 SEC. 1017. CONDEMNING THE BRUTAL TREATMENT OF, AND
11 BLATANT DISCRIMINATION AGAINST, THE
12 TURKISH MINORITY BY THE GOVERNMENT OF
13 THE PEOPLE'S REPUBLIC OF BULGARIA, AND
14 AUTHORIZING ASSISTANCE FOR THE RELIEF OF
15 TURKISH REFUGEES FLEEING BULGARIA.

16 (a) FINDINGS.—The Congress finds that—

17 (1) the Government of the People's Republic of
18 Bulgaria is a signatory to the 1947 Paris Peace
19 Treaty, the Universal Declaration on Human Rights
20 by the United Nations, and the Helsinki Declaration
21 of the Conference on Security and Cooperation in
22 Europe;

23 (2) the Helsinki Accords express the commitment
24 of the participating states to respect the fundamental
1 freedoms of conscience, religion, expression, and emi-
2 gration, and to guarantee the rights of minorities;

3 (3) the 1971 Constitution of the People's Repub-
4 lic of Bulgaria declares that fundamental rights will
5 not be restricted because of distinction of national
6 origin, race, or religion, and guarantees minorities the
7 rights to study in their mother tongue and freely prac-
8 tice their religion;

9 (4) despite its international obligations and con-
10 stitutional guarantees, the Government of the People's
11 Republic of Bulgaria has taken numerous steps to re-

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

503

13 *uting the study of the Turkish language in schools,*
14 *banning the use of the Turkish language in public,*
15 *making the receipt and reading of Turkish publications*
16 *a punishable act, and jamming the reception of Turk-*
17 *ish radio and television programs in Bulgaria;*
18 *(5) the right of the ethnic Turkish community to*
19 *freedom of religion has been severely circumscribed by*
20 *the Government of the People's Republic of Bulgaria,*
21 *which has closed a number of mosques and barred the*
22 *importation of copies of the Koran;*
23 *(6) emigration by ethnic Turks and others has*
24 *been banned with only a few exceptions;*
1 *(7) beginning in December 1984, the Bulgarian*
2 *authorities forced the Turkish minority to change their*
3 *Turkish names to Bulgarian ones, and hundreds of*
4 *ethnic Turks were killed, injured, or arrested by Bul-*
5 *garian forces in 1984 and 1985 when they protested*
6 *this new policy;*
7 *(8) the Bulgarian authorities have used both force*
8 *and coercion to resettle ethnic Turks from their local*
9 *villages to areas in Bulgaria with small Turkish popu-*
10 *lations;*
11 *(9) in May 1989, Bulgarian troops and police at-*
12 *tacked ethnic Turks and others who were peacefully*
13 *demonstrating against their discriminatory treatment*
14 *in Bulgaria;*

304

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

15 (10) hundreds of demonstrators were killed or
16 wounded in these attacks, and hundreds more were ar-
17 rested; and

18 (11) since these demonstrations, the Government
19 of the People's Republic of Bulgaria has forcibly ex-
20 pelled or coerced into emigrating to Turkey thousands
21 of ethnic Turks without either their money or their pos-
22 sessions, often resulting in the separation of families.

23 (b) POLICY.—It is the sense of the Congress that the

24 Congress—

1 (1) strongly condemns the brutal treatment of, and
2 blatant discrimination against, the Turkish minority
3 by the Government of the People's Republic of Bulgar-
4 ia;

5 (2) calls upon the Bulgarian authorities to imme-
6 diately cease all discriminatory practices against this
7 community and to release all ethnic Turks and others
8 currently imprisoned because of their participation in
9 nonviolent political acts;

10 (3) calls upon the Bulgarian Government to
11 honor its obligations and public statements concerning
12 the right of all Bulgarian citizens to emigrate freely;
13 and

14 (4) urges the President and Secretary of State to
15 make strong diplomatic representations to Bulgaria
16 protesting its discriminatory treatment of its Turkish
17 minority and to raise this issue in all appropriate

305

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

19 curity and Cooperation in Europe meeting on the envi-
20 ronment in Sofia, Bulgaria, this year.
21 (c) AUTHORIZATION OF APPROPRIATIONS.—There are
22 authorized to be appropriated to the Department of State, \$10
23 million for purposes of section 2(c) of the Migration and Ref-
24 ugee Assistance Act of 1962, to the Republic of Turkey for
25 assistance for shelter, food and other basic needs to ethnic
1 Turkish refugees fleeing the People's Republic of Bulgaria
2 and resettling on the sovereign territory of Turkey.

306

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1018. HUMAN RIGHTS IN YUGOSLAVIA.

4 (a) FINDINGS.—The Congress finds that—

5 (1) the United States continues to support the
6 independence, unity, and territorial integrity of
7 Yugoslavia;

8 (2) recent months have seen increased violence
9 and social unrest in the Socialist Autonomous Prov-
10 ince of Kosovo;

11 (3) the State Department's 1988 Country Report
12 on Human Rights Practices cites many human rights
13 practices in Yugoslavia that violate internationally ac-
14 cepted human rights standards;

15 ~~(4) these human rights abuses violate the high~~
16 ~~ideals of mutual equality, dignity, and brotherhood~~
17 ~~among all of the nations and nationalities in Yugo-~~
18 ~~slavia, which have been the guiding principles of Yugo-~~
19 ~~slavia since 1945; and~~

20 (5) the human rights of all ethnic groups in
21 Kosovo must be preserved.

22 (b) STATEMENT BY THE CONGRESS.—The Con-
23 gress—

1 (1) expresses concern regarding human rights
2 abuses, violence and ethnic unrest in the Kosovo prov-
3 ince;

4 (2) urges the Government of Yugoslavia to take
5 all necessary steps to assure that further violence does
6 not occur in Kosovo.

(307)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

7 (3) urges the Government of Yugoslavia to ob-
8 serve fully its obligations under the Helsinki Final Act
9 and the United Nations Declaration on Human Rights
10 to assure full protection of the rights of all citizens of
11 Kosovo;
12 (4) requests the President and the Department of
13 State to continue to monitor closely the human rights
14 situation in Kosovo; and
15 (5) calls upon the President to express these con-
16 cerns of the Congress through appropriate channels to
17 representatives in Yugoslavia.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

18 SEC. 101A. POLICY TOWARD THE FUTURE OF TAIWAN.
19 (a) FINDINGS. —The Congress finds that—
20 (1) although peace has prevailed in the Taiwan
21 Strait for the past decade, on June 4, 1989, the Gov-
22 ernment of the People's Republic of China showed its
23 willingness to use force against the Chinese people who
24 were demonstrating peacefully for democracy; and
1 (2) in the Taiwan Relations Act, the United
2 States made clear that its decision to enter into diplo-
3 matic relations with the People's Republic of China
4 rested upon the expectation that the future of Taiwan
5 would be determined by peaceful means.
6 (b) SENSE OF CONGRESS. —It is the sense of the Con-
7 gress that—
8 (1) the future of Taiwan should be settled peace-
9 fully, free from coercion, and in a manner acceptable
10 to the people on Taiwan; and
11 (2) good relations between the United States and
12 the People's Republic of China depend upon the Chi-
13 nese authorities' willingness to refrain from the use or
14 the threat of force in resolving Taiwan's future.

(307)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATIVE POSITION/NOTES

15 SEC. 1010. INCREASING AMOUNT OF REWARDS FOR COMBAT-
16 TING TERRORISM
17 Section 36(c) of the State Department Basic Authori-
18 ties Act of 1956 is amended by striking out "\$500,000" and
19 inserting in lieu thereof "\$2,000,000".

(10)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

20 SEC. 1021. REPEAL SECTION 404, TITLE IV OF PUBLIC LAW 101-
21 45.
22 Section 404 of title IV, General Provisions, of the Dire
23 Emergency Supplemental Appropriations and Transfers,
24 Urgent Supplementals, and Correcting Enrollment Errors
25 Act of 1989 (Public Law 101-45) is repealed.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

711

1 SEC. 1012. IMPORTATION OF CERTAIN DEFENSE ARTICLES
2 FROM POLAND AND HUNGARY.

3 (a) PERMISSIBLE IMPORTS.—The authorities of sec-
4 tion 38 of the Defense Trade and Export Control Act may
5 not be used to prohibit the importation into the United
6 States, by a museum or educational institution described in
7 subsection (b), or any defense article from Hungary or
8 Poland if it—

9 (1) was manufactured at least 25 years before its
10 importation into the United States;

11 (2) was imported into the United States before
12 June 30, 1989;

13 (3) has been disabled so that no weapon or weap-
14 ons system is functional; and

15 (4) is used only for display to the public by the
16 museum or educational institution, for educational
17 purposes.

18 (b) QUALIFIED MUSEUMS AND EDUCATIONAL INSTI-
19 TUTIONS.—Subsection (a) applies only to a museum or edu-
20 cational institution that is described in section 501(c)(3) of
21 the Internal Revenue Code of 1986 and exempt from tax
22 under section 501(a) of such Code.

23 (c) DEFINITION.—For purposes of this section, the term
24 "defense article" means a defense article designated under
25 section 38(a) of the Defense Trade and Export Control Act.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 1021. SUPPORT FOR THE PEOPLE OF SOVIET ARMENIA.

2 (a) CONGRESSIONAL FINDINGS.—The Congress finds
3 that—

4 (1) the people of the United States have strong
5 historical and cultural ties with the people of Armenia;

6 (2) the Armenian people have been subjected to
7 ethnic discrimination, cultural oppression and eco-
8 nomic adversity;

9 (3) portions of Armenia were totally devastated by
10 a massive earthquake on December 7, 1988, where, ac-
11 cording to official Soviet reports, more than 25,000
12 Armenians were killed, more than 100,000 were in-
13 jured, more than 500,000 were left homeless, and tens
14 of thousands of children were orphaned;

15 (4) the Government and the people of the United
16 States strengthened their commitment to Armenia by
17 assisting in the immediate relief effort and in the over-
18 all reconstruction of those areas affected by the earth-
19 quake;

20 (5) in the face of such hardship and adversity, the
21 Armenian people continue to exhibit their strong will
22 and resilience;

23 (6) the current status of the region of Nagorno-
24 Karabagh is a matter of concern and contention for the
25 people of the Armenian and Azerbaijani Soviet Repub-
26 lics;

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

313

1 (7) the Soviet Government has termed the killings
2 of Armenians on February 28-29, 1988, in Sumgait,
3 Azerbaijan "pogroms";
4 (8) the Special Administrative Committee set up
5 by the Soviet Government to stabilize the Nagorno-
6 Karabagh region has proven ineffective in that mis-
7 sion, giving rise to further dissatisfaction among the
8 Karabagh Armenians, who constitute the overwhelming
9 majority in the region;
10 (9) the Karabagh Committee, spokespersons for
11 the popular movement in Armenia, had been jailed for
12 nearly 6 months before their release on May 31, 1989;
13 and
14 (10) continued discrimination against Karabagh
15 Armenians and the uncertainty about Nagorno-Kara-
16 bagh have led to massive demonstrations and unrest in
17 this area that are continuing to this day.
18 (b) SENSE OF THE SENATE.—It is the sense of the
19 Senate that the United States should—
20 (1) continue to support and encourage the recon-
21 struction effort in Armenia;
22 (2) encourage Soviet President Gorbachev to con-
23 tinue a dialogue with the Armenian representatives to
24 the Soviet Congress of People's Deputies;

319

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 (3) encourage Soviet President Gorbachev to
2 engage in meaningful discussions with elected repre-
3 sentatives of the people of Nagorno-Karabagh regarding
4 their demands of reunification with the Armenian
5 homeland and with the leadership of Armenia's pro-
6 democracy popular movement which includes the re-
7 cently released Karabagh Committee;
8 (4) promote in its bilateral discussions with the
9 Soviet Union, an equitable settlement to the dispute
10 over Nagorno-Karabagh, which fairly reflects the views
11 of the people of the region; and
12 (5) urge in its bilateral discussions with the
13 Soviet Union, that investigations of the violence
14 against Armenians be conducted at the highest level of
15 the Soviet judiciary, and that those responsible for the
16 killing and bloodshed be identified and prosecuted.

(315)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 1024. EXPRESSING THE SUPPORT OF THE CONGRESS FOR
18 FREE AND FAIR ELECTIONS IN BURMA.

19 (a) FINDINGS.—The Congress finds that—

20 (1) General Ne Win overthrew a democratically
21 elected government in 1962, and established the Burma
22 Socialist Program Party which ruled Burma until
23 September 1988, when it was replaced by a military
24 junta which continues to rule Burma;

1 (2) the Government of Burma has followed the
2 "Burmese Road to Socialism" from 1962 until April
3 1989, a policy which has resulted in the indiscriminate
4 seizure of private property, the demonetization of cur-
5 rency, and economic hardship for the Burmese people;

6 (3) on July 23, 1988, General Ne Win, called
7 for a transition to a multi-party system of government;

8 (4) on July 27, General Sein Lwin became
9 President of Burma, and popular demonstrations
10 erupted throughout the country against his rule and his
11 rejection of a referendum on a multi-party system of
12 government;

13 (5) on August 3, 1988, General Sein Lwin de-
14 clared martial law in Burma, imposing a curfew, press
15 censorship, closing schools, and banning meetings of
16 more than 5 persons;

17 (6) on August 8, 1988, the Burmese Army opened
18 fire on peaceful demonstrators in Rangoon and other

316

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

20 (7) on August 11, 1988, the Senate unanimously
21 adopted Senate Resolution 464, condemning the Gov-
22 ernment of Burma for gross human rights violations;
23 (8) on September 7, 1988, the House of Repre-
24 sentatives unanimously adopted House Resolution 529,
1 urging the restoration of democratic government in
2 Burma;
3 (9) on September 18, 1988, General Saw Maung
4 took power in Burma, establishing a military junta
5 and ordering the Burmese Army to kill many hun-
6 dreds of additional peaceful protesters, until such pro-
7 tests were forcibly halted;
8 (10) the United States, Canada, the European
9 Community, Australia, and Japan, have withheld aid
10 from the Government of Burma to protest the gross
11 violations of human rights and to urge political and
12 economic reform;
13 (11) on February 28, 1989, the President decerti-
14 fied Burma as a nation taking adequate steps to con-
15 trol narcotics trafficking;
16 (12) the United Nations Human Rights Commis-
17 sion adopted a resolution on March 8, 1989, express-
18 ing concern about human rights violations in Burma;
19 (13) on April 13, 1989, the President suspended
20 trade benefits for Burma under the Generalized
21 System of Preferences program because of worker
22 rights violations;

317

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

23 (14) approximately 6,000 protesters, students,
24 monks, and other civilians, sought refuge in the border
25 camps of the National Democratic Front which repre-
1 sents ethnic minority insurgents, and in Thailand and
2 India;
3 (15) Amnesty International has reported that the
4 Government of Burma continues to arrest, torture, and
5 kill civilian opponents;
6 (16) in May 1989 the Government of Burma re-
7 fused an offer from the Government of Thailand to me-
8 diate an end to the civil war with the Democratic Alli-
9 ance of Burma, which represents the ethnic minorities
10 and the armed Burman opposition;
11 (17) the Government of Burma announced in
12 February 1989 that elections would be held by May
13 1990, but has refused offers of electoral assistance
14 planning from Thailand and rejected foreign observers;
15 (18) martial law remains in effect and opposition
16 parties are prevented from freely organizing for elec-
17 tions, and Daw Aung San Suu Kyi of the National
18 League for Democracy has been subject to harassment,
19 arrest, and threats of death by the Government of
20 Burma and the Burmese Army.
21 (b) POLICY.—In recognition of the violence and denial
22 of human rights in Burma and the need for free and fair
23 elections, the Congress—

(3/8)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 ernment of Burma, and calls for an immediate halt to
2 them;
3 (2) expresses its support for an end to martial law
4 in Burma, for free and fair elections to be held before
5 the end of May 1990, and for the transfer of power to
6 an elected civilian government;
7 (3) calls upon all nations to withhold assistance to
8 the Government of Burma until a democratic govern-
9 ment assumes power in Burma;
10 (4) voices its strong support for the people of
11 Burma and its admiration for their courage;
12 (5) urges an end to the civil war in Burma; and
13 (6) calls upon the President, the Vice President,
14 the Secretary of State, the United States Ambassador
15 to Burma, and the United States Permanent Repre-
16 sentative to the United Nations to—
17 (A) publicly condemn the killings, torture,
18 and arrests that continue in Burma;
19 (B) encourage the restoration of democracy
20 and free and fair elections by May 1990, includ-
21 ing the provision for international observers for
22 such elections;
23 (C) continue to withhold all assistance to the
24 Government of Burma until the holding of free

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

019

- 1 and fair elections and the restoration of democra-
- 2 cy, and urge all other nations to do the same;
- 3 (D) seek a mediated end to the civil war in
- 4 Burma, including the involvement of the United
- 5 Nations, the countries of the Association of South-
- 6 east Asian Nations, and other interested parties;
- 7 and
- 8 (E) provide humanitarian resettlement as-
- 9 sistance to the refugees from Burma now in Thai-
- 10 land and India.

320

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 1025. CLEAN COAL TECHNOLOGY EXPORT PROGRAMS.
12 The President shall provide a report to the Committee
13 on Foreign Relations of the Senate and the Committee on
14 Foreign Affairs of the House of Representatives within 90
15 days of enactment of this legislation which will identify, in-
16 ventory and analyze clean coal technologies export programs
17 within United States Government agencies including the De-
18 partments of State, Commerce, and Energy and at the
19 Export-Import Bank and the Overseas Private Investment
20 Corporation. The study shall address the effectiveness of
21 interagency coordination of export promotion and determine
22 the feasibility of establishing an interagency commission for
23 the purpose of promoting the export and use of clean coal
24 technologies.

(24)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 1026. ASSOCIATION OF DEMOCRATIC NATIONS.

2 (a) FINDINGS.—

3 (1) It is the policy of the United States to support
4 and promote democratic values and institutions around
5 the world.

6 (2) Over the last decade, the United States, in
7 concert with other nations, has provided support to
8 those working for democracy in many nations through-
9 out the world.

10 (3) Such support has advanced the cause of free-
11 dom and democracy in those nations by providing
12 international technical expertise on holding free and
13 fair elections, providing international observers to doc-
14 ument the conduct of the elections and in offering eco-
15 nomic and humanitarian support to newly established
16 democracies.

17 (4) On June 8, 1989, at the commencement cere-
18 monies at Harvard University, the newest leader of a
19 democratic nation, Prime Minister Benazir Bhutto of
20 Pakistan, called for the establishment of an Association
21 of Democratic Nations to support the right of peoples
22 everywhere to choose freely their own government.

23 (5) The goals of the Association would be to pro-
24 mote—

25 (A) the holding of elections at regular inter-
26 vals which are open to the participation of all sig-

024

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 nificant political parties, which are fairly admin-
2 istered, and in which the franchise is broad or
3 universal;
4 (B) respect for fundamental human rights
5 including freedom of expression, freedom of con-
6 science, and freedom of association;
7 (C) international recognition of legitimate
8 elections through international election observer
9 missions at all stages of the election, including the
10 campaign, the voting and the ballot counting;
11 (D) the mobilization of international opinion
12 and economic measures against the military over-
13 throw of democratic governments; and
14 (E) the provision of economic assistance to
15 strengthen and support democratic nations.
16 (b) It is the Sense of the Senate That—
17 (1) the proposal offered by Prime Minister Bena-
18 zir Bhutto of Pakistan would further the cause of de-
19 mocracy, freedom and justice and is in the interest of
20 the United States; and
21 (2) the President of the United States should give
22 serious consideration to the implementation of the pro-
23 posal, and should provide by December 31, 1989, a
24 report to Congress assessing the merits of and estimat-

1 ed annual costs of establishing such an Association of
2 Democratic Nations.

COMMUNITY.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 nificant political parties, which are fairly admin-
2 istered, and in which the franchise is broad or
3 universal;
4 (B) respect for fundamental human rights
5 including freedom of expression, freedom of con-
6 science, and freedom of association;
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8 elections through international election observer
9 missions at all stages of the election, including the
10 campaign, the voting and the ballot counting;
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12 and economic measures against the military over-
13 throw of democratic governments; and
14 (E) the provision of economic assistance to
15 strengthen and support democratic nations.
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18 zir Bhutto of Pakistan would further the cause of de-
19 mocracy, freedom and justice and is in the interest of
20 the United States; and
21 (2) the President of the United States should give
22 serious consideration to the implementation of the pro-
23 posal, and should provide by December 31, 1989, a
24 report to Congress assessing the merits of and estimat-
1 ed annual costs of establishing such an Association of

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(32)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 SEC. 1028. POLICY TOWARD CUBA.
12 It is the sense of Congress that—
13 (1) after 30 years, Fidel Castro has failed to rec-
14 ognize the basic human rights, aspirations, and free-
15 doms of the Cuban people;
16 (2) oppressive government policies and economic
17 mismanagement have increased the suffering and hard-
18 ship on the people of Cuba;
19 (3) the Cuban people should be allowed to express
20 their view on their country's political future, that the
21 Cuban Communist Party should permit a plebiscite,
22 by a secret "yes/no" ballot, of the people's approval or
23 rejection of Castro's continued rule;

(25)

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 (4) in order to guarantee an open and honest pleb-
2 iscite, the Government of Cuba should meet the follow-
3 ing conditions—

4 (A) allow opposition and human rights
5 groups to organize publicly and repeal all laws
6 curtailing freedom of expression and of assembly;

7 (B) grant all opposition groups equal access
8 to national press, radio, and television media;

9 (C) release all political prisoners; and

10 (D) invite a neutral, international commis-
11 sion to oversee the voting and ensure the legiti-
12 macy of the results;

13 (5) should the "no" vote on Castro's rule prevail,
14 the regime would respect the will of the people, initiate
15 a period of democratic openness, and hold prompt na-
16 tional elections through which the Cuban people would
17 freely choose their leaders; and

18 (6) normalized relations between the Governments
19 of the United States and Cuba should one day be
20 restored, and that a democratic Cuban Government
21 elected by all the people must be an essential condition
22 for such normalization.

34

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

23 SEC. 1029. POLICY TOWARD THE CONTROL OF ILLEGAL DRUGS

24 IN MEXICO.

25 (a) FINDINGS.—The Congress finds that—

1 (1) the Foreign Assistance Act of 1961 requires,
2 except in cases of vital national interest, that all coun-
3 tries determined to be a major illicit drug producing
4 country or a major drug-transit country must be "coop-
5 erating fully" with United States anti-narcotics activi-
6 ties in order to continue receiving various forms of
7 United States foreign assistance;

8 (2) relations between the United States and
9 Mexico have suffered since the 1985 kidnapping and
10 murder of Drug Enforcement Administration agent
11 Enrique Camarena and the 1986 torture of DEA
12 agent Victor Cortez;

13 (3) testimony before the Senate dating to 1986
14 has indicated that high-ranking Mexican government,
15 military, and law enforcement officials have been in-
16 volved in illegal narcotics operations, including nar-
17 cotics trafficking operations into the United States;

18 (4) Mexico has been determined to be the primary
19 producer of marijuana and heroin entering the United
20 States and the transit point for up to 50 percent of the
21 cocaine being smuggled into this country;

22 (5) there have been three drug-related mass mur-
23 ders involving more than 30 victims along the south-
24 west border in recent months involving Mexican drug

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

(11)

1 (6) the United States continues to seek, with
2 Mexican cooperation, hot pursuit and over-flight au-
3 thority for United States law enforcement agencies,
4 access to bank records, verification of eradication fig-
5 ures, information on those who have been tried,
6 charged, sentenced, and served time for narcotics-relat-
7 ed crimes, and extradition of criminal figures;
8 (7) there was sworn in a new president and Gov-
9 ernment of Mexico on December 1, 1988, creating a
10 new era of opportunity for increased cooperation and
11 mutual friendship;
12 (8) the new President of Mexico, Carlos Salinas
13 de Gortari, has indicated a strong willingness to
14 expand and improve Mexico's anti-narcotics activities;
15 (9) the Chief of the Mexico City Police Investiga-
16 tive Service, Miguel Nazar Haro, who is under indict-
17 ment in the United States, has been fired;
18 (10) the Government of Mexico has arrested
19 Miguel Angel Felix-Gallardo, one of the most notori-
20 ous drug trafficking figures in Mexico;
21 (11) Mexican officials have for the first time con-
22 ceded that corrupt Mexican officials, including law en-
23 forcement, government, and military officials, have pre-
24 viously protected Mr. Gallardo; and

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

029

1 (12) criminal charges of electoral fraud against
2 the mayor of Hermosillo, Carlos Robles, and homicide
3 and arms charges against the head of Mexico's Oil
4 Workers Union, Joaquin Hernandez Galicia, have
5 been filed.
6 (b) POLICY.—It is the sense of the Congress that—
7 (1) President Salinas should be supported in his
8 expressed willingness to end the narcotics-related cor-
9 ruption that has permeated the Government of Mexico
10 in the past;
11 (2) Mexico should conclude the prosecution of the
12 murders of Drug Enforcement Administration agent
13 Camarena, the perpetrators of torture against DEA
14 agent Cortez, and make progress in the prosecution of
15 Felix-Gallardo;
16 (3) Mexico should demonstrate its commitment to
17 cooperating fully in anti-narcotics activities by enter-
18 ing into negotiations with the United States on—
19 (A) joint over-flight and hot pursuit oper-
20 ations, involving Mexican law enforcement offi-
21 cials traveling on United States interdiction air-
22 craft with Mexican officers having responsibility
23 for actual arrests of suspects;
24 (B) participation of United States law en-
25 forcement agencies in air surveillance flights for

629

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 interdiction efforts and joint United States
2 Mexico border enforcement and interdiction oper-
3 ations;
4 (C) United States requests for access to bank
5 records to assist in carrying out narcotics-related
6 investigations; and
7 (D) United States requests for verification of
8 eradication statistics, including ground verifica-
9 tion; and
10 (4) the people of Mexico should be supported in
11 their efforts to rid their country of illicit narcotics,
12 bribery and corruption, and electoral fraud.

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

13 SEC. 1030. POLICY TOWARD COPRODUCTION OF KOREAN
14 FIGHTER PROGRAM.
15 (a) FINDINGS.—The Congress finds that—
16 (1) the United States has a large trade deficit
17 with the Republic of Korea, more than \$10 billion in
18 1988;
19 (2) the Government of the Republic of Korea has
20 pledged to do its utmost to take appropriate measures to
21 open its markets to United States industries in an
22 effort to reduce its trade surplus with the United
23 States;
24 (3) the Government of the Republic of Korea has
25 indicated that its intent in entering into the co-produc-

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 tion of the "Korean Fighter Program" is not simply
2 related to national security considerations, but also in-
3 cludes acquiring United States aerospace technology in
4 order to develop an indigenous aerospace capability;
5 (4) the "Korean Fighter Program's" impact on
6 the United States industrial base needs to be fully un-
7 derstood; and
8 (5) the United States Government's interagency
9 coordinating and negotiating process must take into
10 consideration United States economic security con-
11 cerns.
12 (b) PRINCIPLES FOR NEGOTIATION.—The President
13 shall ensure that—
14 (1) offset provisions are not included in any
15 memorandum of understanding governing the proposed
16 co-production by the United States and the Republic of
17 Korea of the "Korean Fighter Program"; and
18 (2) any agreement shall preclude the transfer to
19 the Republic of Korea's commercial aerospace industry
20 of United States aerospace technology and applied
21 technology derived from the "Korean Fighter Pro-
22 gram".
23 (c) POLICY TOWARD MOU.—It is the sense of the
24 Senate that the President should instruct the Secretary of
25 Defense not to sign any government-to-government memoran-

32

HOUSE

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

ADMINISTRATION POSITION/NOTES

1 lack of understanding regarding the Korean Fighter Pro-
2 gram until—

3 (1) a thorough review of the "Korean Fighter
4 Program" is conducted by the Comptroller General of
5 the United States in consultation with appropriate offi-
6 cials pursuant to sections 824 and 825 of the National
7 Defense Authorization Act for Fiscal Year 1989
8 (Public Law 100-456); and

9 (2) a report is submitted within 60 days of the
10 adoption of this resolution to the chairmen of the Com-
11 mittees on Foreign Relations and Armed Services de-
12 scribing and analyzing—

13 (A) any effects of the "Korean Fighter Pro-
14 gram" on the United States industrial base in
15 light of the Republic of Korea's publicly stated ob-
16 jective to utilize the Program to develop an indige-
17 nous commercial aerospace industry;

18 (B) the effects of the "offset" provisions of
19 the proposed "Korean Fighter Program" on the
20 United States trade deficit with the Republic of
21 Korea and its detrimental effects on United
22 States or third country suppliers; and

23 (C) the extent of implementation of the
24 United States Government's interagency coordi-
25 nating and consulting process as called for in sec-

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HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
1 2 3 4	<i>tions 824 and 825 of the National Defense Au- thorization Act, Fiscal Year 1989 (Public Law 100-456), and any negative or positive aspects thereof.</i>	:

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HOUSE	FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991) SENATE	ADMINISTRATION POSITION/NOTES
	<p>5 SEC. 1031. FUTURE OF HONG KONG.</p> <p>6 The Secretary of State shall report to Congress no later</p> <p>7 than January 1, 1990, about the implications of the June 3-</p> <p>8 4 crackdown by the Government of the People's Republic of</p> <p>9 China against pro-democracy demonstrators in Beijing for</p> <p>10 the reversion of Hong Kong to PRC sovereignty in 1997,</p> <p>11 and about the way in which the Administration intends to</p> <p>12 work with the United Kingdom, Hong Kong, and our friends</p> <p>13 and allies in the region to ensure the democratic rights of the</p> <p>14 people of Hong Kong, and the general political and economic</p> <p>15 stability of the territory, after such reversion.</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

635

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 SEC. 1032. POLICY TOWARD HUMAN RIGHTS ABUSES IN
17 ROMANIA.
18 (a) FINDINGS.—The Congress finds that—
19 (1) human rights abuses in Romania, particularly
20 the abuse of the ethnic Hungarian minority, have in-
21 creased in the last year;
22 (2) President Ceausescu is now carrying out his
23 plans to obliterate as many as half of the country's
24 13,000 rural villages and force the resettlement of the

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

336

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 families in agro-industrial centers without proper
2 plumbing facilities;
3 (3) family homesteads, churches, and synagogues,
4 traditional folk architecture and private sources of
5 scarce food are being systematically destroyed;
6 (4) the collectivization has had a particularly bad
7 impact on the nation's ethnic minorities, particularly
8 its Hungarian minority, who suffer the loss not only of
9 their homes, but also of their centuries-old ethnic com-
10 munities because of collectivization;
11 (5) recent Helsinki Watch report cited Romania's
12 Hungarian minorities as victims of a government cam-
13 paign to end their separate cultural identity;
14 (6) tens of thousands of Romanians, predominant-
15 ly ethnic Hungarians, have fled into neighboring Hun-
16 gary, because of the persecution in Romania;
17 (7) in March, in response to the worsening situa-
18 tion in Romania, the United Nations Human Rights
19 Commission voted overwhelmingly to appoint a special
20 rapporteur to investigate the human rights situation
21 there;
22 (8) even Romania's Warsaw Pact allies refuse to
23 support it on this question;
24 (9) Hungary cosponsored the United Nations
25 action while the Soviet Union, East Germany, and

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(17)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 *Bulgaria abstained from voting; France recalled its*
2 *Ambassador from Romania, and Portugal and Den-*
3 *mark closed their embassies in Romania; and Bel-*
4 *gium, Switzerland, and the European Parliament have*
5 *passed resolutions condemning Romanian human*
6 *rights abuses;*
7 *(10) West Germany has cancelled economic meet-*
8 *ings with Romania and scientific cooperation programs*
9 *between the two countries; France recalled its Amba-*
10 *sador from Romania and cancelled a scheduled eco-*
11 *nomical meeting; and Britain, France, and West Ger-*
12 *many have frozen all high level government-to-govern-*
13 *ment contacts;*
14 *(11) although Congress suspended most-favored-*
15 *nation trading status for Romania in 1987, the situa-*
16 *tion has gotten worse;*
17 *(12) this past spring, Romanian President*
18 *Ceausescu announced that Romania has repaid its for-*
19 *ign debt, yet the austerity program shows no sign of*
20 *abating, and the Romanian Government has exported*
21 *food even as Romanian store shelves have lain bare, at*
22 *the expense of the Romanian people's well-being; and*
23 *(13) the worsening situation, plus the strong reac-*
24 *tion of the world community, means that it is impera-*
25 *tive that the United States consider all available policy*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

338

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 options to address Romania's continuing human rights
2 abuses.
3 (b) *POLICY.*—It is the sense of the Congress that—
4 (1) the United States should prohibit the importa-
5 tion into the United States of Romanian meat, meat
6 products, and wine until such time as the Romanian
7 Government ceases to withhold food, particularly meat
8 from the Romanian people and improves significantly
9 its domestic human rights record; and that
10 (2) the United States should vigorously protest, at
11 all international conferences and forums Romania's
12 human rights abuses and, particularly, its abuses of
13 the ethnic Hungarian minority.
14 (c) *REPORT.*—The Secretary of State should make a
15 study of what additional diplomatic and trade sanctions
16 could be imposed on Romania, and should specifically con-
17 sider, evaluate, and report to the Committees on Foreign Af-
18 fairs and Appropriations of the House of Representatives and
19 the Committees on Foreign Relations and Appropriations of
20 the Senate within 60 days from the adoption of this resolu-
21 tion on the advisability of taking the following actions—
22 (A) instituting a boycott on food exports coming
23 from Romania to the United States;
24 (B) prohibiting service of any kind by the Roma-
25 nian state airline, Tarom, or any aircraft owned or

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

674

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 controlled, directly or indirectly, by the Socialist Re-
2 public of Romania, except for humanitarian reasons;
3 (C) calling for continued inquiries by the United
4 Nations and other appropriate international bodies into
5 the status of religious and human rights in Romania,
6 including the sponsorship of resolutions therein on the
7 topic;
8 (D) severely limiting the number of Romanian
9 government employees and dependents who can visit
10 the United States for any purpose except to seek politi-
11 cal asylum; and
12 (E) additional restrictions on the importation of
13 products from Romania of any kind, except for opposi-
14 tion political literature or religious articles.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

340

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

15 SEC. 1033. YANG WEI.
16 (a) FINDINGS.—The Congress finds that—
17 (1) Yang Wei, a Chinese national, studied at the
18 University of Arizona from 1983 until he received his
19 Masters of Science degree in microbiology in 1986.
20 (2) On January 11, 1987, while still an official
21 student at the University of Arizona, Yang Wei was
22 arrested by the Shanghai Public Security Bureau.
23 (3) After being held without charge for almost a
24 year, Yang Wei was sentenced to two years in a labor
1 camp for participating in the Chinese Alliance for De-
2 mocracy.
3 (4) Yang Wei has been rearrested and again
4 charged with participation in the Chinese Alliance for
5 Democracy.
6 (5) Yang Wei has not committed any crime under
7 United States or Chinese law.
8 (6) Officials of the People's Republic of China
9 are conducting a campaign of repression against those,
10 such as Yang Wei, who only aspire to freedom and de-
11 mocracy in their homeland.
12 (b) POLICY.—It is the sense of Congress that—
13 (1) the People's Republic of China should imme-
14 diately release all political prisoners including Yang
15 Wei; and

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

341

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 (2) the leadership of the People's Republic of
17 China should take all necessary steps toward establish-
18 ing a democratic society, with a free and open political
19 system that will protect the essential human rights of
20 all people living within that country.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

342

HOUSE

ADMINISTRATION POSITION/NOTES

21 SEC. 1034. AN AMENDMENT TO THE MUTUAL EDUCATIONAL AND
22 CULTURAL EXCHANGE ACT AND RELATED MAT-
23 RIALS (PUBLIC LAW 87-256).
24 The Mutual Educational and Cultural Exchange Act
25 and Related Materials, as amended, is amended by inserting
1 in section 112(a)(8) following the word "degree" and preced-
2 ing the ":", the following: "or through other programs de-
3 signed to promote contact between the young peoples of the
4 United States, the Soviet Union, and Eastern European
5 countries".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

43

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 1035. REPORT TO CONGRESS ON THE ACQUISITION AND
7 USE OF PUBLIC PROGRAMMING MATERIALS.
8 Not later than 90 days after the enactment of this Act,
9 the Director of the United States Information Agency shall
10 provide a detailed report to the Chairman of the Foreign Re-
11 lations Committee of the Senate and the Speaker of the
12 House of Representatives describing all programming materi-
13 al acquired by the United States Information Agency in
14 fiscal year 1988 and fiscal year 1989 from public television
15 and radio entities, including a description of how such pro-
16 gram material was utilized by the United States Information
17 Agency, in whole or in part, in original or edited form. Fur-
18 ther, the Director of the United States Information Agency
19 shall include in such report a description of projected United
20 States Information Agency use of programming material ac-
21 quired for public television and radio entities through fiscal
22 year 1992.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

244

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

23 SEC. 1036. RESOLUTION OF DECERTIFICATION.

24 The lines on page 153, starting with 1, and continuing
25 through 11, are null void and of no effect.

HR 1487 EAS

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

345

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC 1037. STUDENT VISAS FOR CHINESE STUDENTS IN JAPAN.
2 The United States Embassy in Japan shall not deny
3 student visas to nationals of the People's Republic of China
4 currently in Japan based solely on the recent political events
5 in China, where the student can demonstrate an ability to
6 meet all other requirements of a student visa and demonstrate
7 that the student initiated an education plan prior to June 4,
8 1989 which included study in the United States.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

546

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

9 SEC. 1038. APPOINTMENT OF THE NEW ADMINISTRATOR OF THE
10 PANAMA CANAL COMMISSION.
11 Section 3613, title 22 of the United States Code is
12 amended by adding before the period the following: "Provid-
13 ed, That no Administrator may be appointed to fill a new
14 term unless and until the President certifies to Congress that
15 the ruling Government of Panama is democratically elected
16 according to procedures specified in the Constitution of
17 Panama providing for a civilian government in control of all
18 Panamanian military and paramilitary forces".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

842

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

19 SEC. 1039. EXPRESSING THE SENSE OF THE SENATE CONCERN-
20 ING THE SITUATION IN LEBANON.

21 (a)(1) The United States supports the restoration of
22 Lebanon's unity, sovereignty, and territorial integrity, to in-
23 clude the withdrawal of all foreign forces and the disband-
24 ment of militias in the context of a reconstituted central gov-
25 ernment.

1 (2) The restoration of Lebanon's unity requires a politi-
2 cal dialogue among the Lebanese, free of intimidation or the
3 threat of violence from any party, foreign or domestic.

4 (3) The restoration of Lebanon's sovereignty requires a
5 reconstitution of Lebanon's central government through free
6 elections and the extension of that reconstituted government's
7 authority throughout all of Lebanon.

8 (4) The restoration of Lebanon's territorial integrity re-
9 quires the withdrawal of all foreign forces.

10 (5) The continuing conflict in Lebanon has secured for
11 its Lebanese participants neither communal security nor po-
12 litical equality.

13 (6) The toll of that extended conflict has now exceeded
14 125,000 lives lost and uncounted thousands more wounded.

15 (7) The Arab League Higher Committee has called for a
16 cease-fire between the forces fighting in Lebanon and a lift-
17 ing of the blockades.

18 (8) The Arab League Higher Committee is seeking a
19 peaceful resolution to the crisis in Lebanon and has called for

20 a meeting of Lebanese parliamentarians at a site outside

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

548

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 Lebanon to be chosen by the parliamentarians.
22 (b) It is the sense of the Senate that the Senate
23 hereby—
1 (1) commends the Bush Administration's support
2 for the efforts of the Arab League Higher Committee to
3 restore peace and security to Lebanon;
4 (2) shares the Bush Administration's goals of re-
5 storing Lebanon's unity, sovereignty, and territorial
6 integrity, to include the withdrawal of all foreign forces
7 and, in the context of a reconstituted central govern-
8 ment, the disbandment of militias;
9 (3) calls on the President to support actively and
10 publicly all peaceful efforts, including efforts of the
11 Arab League and the United Nations, to: (A) establish
12 a political dialogue among the Lebanese that is free of
13 intimidation or the threat of violence from any party,
14 foreign or domestic; (B) reconstitute Lebanon's central
15 government and extend that government's authority
16 throughout all of Lebanon; and (C) secure the with-
17 drawal of all foreign forces;
18 (4) calls on all Lebanese parties to commit them-
19 selves to a process of internal reconciliation whose goal
20 is the restoration of Lebanon's unity through free pres-
21 idential elections and constitutional reform;
22 (5) calls on all parties, Lebanese and non-Leba-
23 nese, to let that process proceed in an atmosphere
24 devoid of intimidation or threat of violence;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

349

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 (6) calls on the international community to sup-
2 port actively and publicly such a process and to take
3 all necessary actions to peacefully promote that process;
4 (7) urges the Bush Administration to pursue the
5 issue of Lebanon vigorously in its diplomatic contacts
6 with all parties involved in or interested in the conflict
7 in Lebanon, specifically including the USSR and
8 Syria;
9 (8) urges the Bush Administration to impress
10 upon Syria the need to desist from any further actions
11 which threaten the sovereignty of Lebanon or exacer-
12 bate the conflict there; and
13 (9) urges the Bush Administration to encourage
14 the Arab League, the United Nations and all parties to
15 use their influence to the end of restoring Lebanon's
16 unity and sovereignty.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

28

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 1040. POLICY TOWARDS THE FUTURE OF TIBET.

18 (a) FINDINGS.—The Congress finds that—

19 (1) beginning October 7, 1950 the Chinese Com-
20 munist army invaded and occupied Tibet;

21 (2) the Government of the People's Republic of
22 China declared martial law in Lhasa and other parts
23 of Tibet on March 7, 1989;

1 (3) Tibet has been closed to foreigners, including
2 representatives of the international press and interna-
3 tional human rights organizations; and

4 (4) as part of an organized system of repression
5 in Tibet scores of persons have been imprisoned for
6 their beliefs.

7 (b) SENSE OF CONGRESS.—It is the sense of the Con-
8 gress that—

9 (1) the Government of the People's Republic of
10 China should immediately lift martial law in Tibet
11 and release all political prisoners; and

12 (2) the Government of the People's Republic of
13 China should enter into negotiations with representa-
14 tives of the Dalai Lama on a settlement of the Tibetan
15 question.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
 FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
 SENATE

34

HOUSE

ADMINISTRATION POSITION/NOTES

16 SEC. 101. TIANANMEN SQUARE PARK AUTHORIZATION.
 17 (a) FINDINGS.—The Congress finds that—
 18 (1) in April and May of 1989, Chinese students
 19 began hunger strikes and peaceful demonstrations in
 20 Beijing's Tiananmen Square to commemorate the sev-
 21 entith anniversary of the May 19, 1919 student move-
 22 ment; these students demanded fundamental civil liber-
 23 ties such as those found in the United States Bill of
 24 Rights;
 1 (2) Americans stand for certain timeless values
 2 that transcend political and national boundaries,
 3 among these principles is the American belief in the
 4 sanctity of human life and the inviolability of individ-
 5 ual rights and freedom;
 6 (3) hundreds of thousands of Chinese took to the
 7 streets throughout China in support of the ideals and
 8 aspirations expressed by the students;
 9 (4) the Chinese students erected a version of the
 10 Statue of Liberty in Tiananmen Square to express
 11 their fervent desire to bring democracy and freedom to
 12 their country;
 13 (5) the American people share the aspirations of
 14 all those around the world who struggle to win respect
 15 for these fundamental principles;
 16 (6) when the pursuit of these ideals results in the
 17 shedding of innocent blood and the destruction of
 18 young lives, all Americans feel a profound sense of loss

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

52

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 (7) the Communist regime in Beijing, unjustly
 21 and unprovoked, brutally slaughtered thousands of citi-
 22 zens engaged in peaceful demonstrations;
 23 (8) our Nation mourns for the families and loved
 24 ones of those killed in China;
 1 (9) despite the outrageous brutality of elements of
 2 the Chinese Army in massacring unarmed, peaceful
 3 protestors, the Chinese leadership, including Commu-
 4 nist Party leaders Deng Xiaping and Li Peng, have
 5 publicly commended the actions of the Chinese Army;
 6 (10) since the massacre in Tiananmen Square,
 7 the Communist regime in Beijing has been engaged in
 8 the systematic arrest and detention of Chinese stu-
 9 dents and other dissidents allegedly involved in the
 10 demonstrations;
 11 (11) there have been dozens of rallies across the
 12 United States in support of the Chinese students, in-
 13 cluding a demonstration held across the street from the
 14 Embassy of the People's Republic of China involving
 15 more than 2,000 protestors;
 16 (12) at this protest a twenty foot replica of the
 17 Statue of Liberty was erected in a small park across
 18 the street from the embassy in honor of those students
 19 who lost their lives while demonstrating for greater po-
 20 litical and economic freedom;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

ADMINISTRATION POSITION/NOTES

HOUSE

SENATE

21 (13) a wreath was placed beneath the bright torch
22 of the original Statue of Liberty to mourn the world's
23 most recent heroes in the universal struggle for freedom
24 and democracy; and
1 (14) the Communist regime in Beijing continues
2 to deny the existence of any mass demonstration, deny
3 Chinese troops ever fired into groups of protestors, and
4 deny that anyone other than soldiers and innocent by-
5 standers were killed.
6 (b) DESIGNATION.—The park located in front of the
7 Embassy of the People's Republic of China at the northwest
8 corner of Connecticut Avenue and Kalorama Road in the
9 District of Columbia, designated Reservation No. 303A and
10 Reservation No. 303B by the National Park Service, shall
11 be designated and known as the "Tiananmen Square Park".
12 (c) LEGAL REFERENCES.—Any reference in any law,
13 regulation, document, record, map, or other record of the
14 United States or the District of Columbia to the park re-
15 ferred to in subsection (b) is deemed to be reference to the
16 "Tiananmen Square Park". Such designation shall expire
17 three years from the date of enactment of this Act unless ter-
18 minated earlier by the Secretary of the Interior.
19 (d) SENSE OF CONGRESS.—It is the sense of the Con-
20 gress that—

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

222

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21 (1) the National Park Service should support
22 public initiatives to raise private funds to place a repli-
23 ca of the Chinese students' Statue of Democracy on the
24 redesignated "Tiananmen Square Park"; and
1 (2) such a memorial should be dedicated to the
2 Chinese students and workers who have lost their lives
3 in the struggle for democracy.
4 (e) RECEIPT OF PRIVATE FUNDS.—The National
5 Park Service is authorized to accept donations of private
6 funds for purposes of subsection (d)(1).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

34

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 SEC. 1042. CHINESE FLEEING COERCIVE POPULATION CONTROL

8 POLICIES.

9 (a) Pursuant to paragraph (42)(A) of section 101(a) of
10 the Immigration and Nationality Act (8 U.S.C.
11 1101(a)(42)(A)), all adjudicators of asylum or refugee status
12 shall give fullest possible consideration to applications from
13 nationals of the People's Republic of China who express a
14 fear of persecution upon return to that country because they
15 refuse to abort a pregnancy or resist surgical sterilization in
16 violation of Chinese Communist Party directives on popula-
17 tion, if such refusal is undertaken with full awareness of the
18 urgent priority assigned to such directives by all levels of the
19 Chinese government, and full awareness of the severe conse-
20 quences which may be imposed for violation of such
21 directives.

22 (b) In view of the urgent priority assigned to the "one
23 couple, one child" policy by high level Chinese Communist
24 Party officials and local party cadres at all levels, as well as
25 the severe consequences commonly imposed for violations of
1 that policy, which are regarded as "political dissent", refusal
2 to abort or to be sterilized, as described in subsection (a) of
3 this section, shall be viewed as an act of political defiance
4 justifying a "well-founded fear of persecution" sufficient to
5 establish refugee status under paragraph (42)(A) of section
6 101(a) of the Immigration and Nationality Act (8 U.S.C.
7 1101(a)(42)(A)).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

355

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 (c) All other factors which may contribute to a determi-
9 nation of asylum or refugee status in such cases are to be
10 given additional weight by asylum and refugee adjudicators,
11 such factors including, but not limited to, overt political ac-
12 tivities while in the United States or third countries, mem-
13 bership in an ethnic or religious minority, family background
14 and history, or suspicion of "counterrevolutionary" activities
15 by Chinese Communist Party officials.

16 (d) Nothing in this section shall be construed to necessi-
17 tate a grant of asylum or refugee status to any individual
18 who is ineligible for admission to the United States under
19 section 212(a) of the Immigration and Nationality Act (8
20 U.S.C. 1182(a)).

21 (e) The Secretary of State and the Attorney General
22 shall, within 30 days of enactment of this section, promulgate
23 regulations and guidelines to carry out the provisions of this
24 section.

25 (f) Nothing in this section shall be construed as--
1 (1) shifting the burden of proving, in each indi-

2 vidual case, facts sufficient to establish a claim of
3 asylum or refugee status as described in subsection (a)
4 of this section, from any person making such claim of
5 asylum or refugee status to the Attorney General; or

6 (2) requiring the Attorney General to disprove
7 such claim in the absence of proof of facts sufficient to
8 establish a claim of refugee or asylum status as de-
9 scribed in subsection (a) of this section by any person

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)



HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 (g) The number of persons receiving political asylum
12 status solely because of the provisions of this section shall not
13 exceed 1,000 in any fiscal year.

14 (h) The Attorney General shall not be obligated to grant
15 political asylum to any person claiming to qualify under sub-
16 section (a) if the Attorney General proves by clear and con-
17 vincing evidence that such person has claimed such status
18 solely for the purposes of evading the immigration laws of the
19 United States.

20 (i) The provisions of this section shall take effect on the
21 date of enactment of this Act, and notwithstanding the provi-
22 sions of subsection (e) of this section or any other provision of
23 law, all adjudicators of asylum or refugee status shall apply
24 the provisions of this section to every case, administrative or
25 judicial proceeding, or appeal that is pending on the date of
1 enactment of this Act, and to any claim that arises on or after
2 such date of enactment.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(357)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1043. PROHIBITION ON NEGOTIATIONS WITH CERTAIN PAL-
4 ESTINE LIBERATION ORGANIZATION REPRESENTATIVES.
5
6 Section 1302(b) of the International Security and De-
7 velopment Cooperation Act of 1985 (22 U.S.C. 2151), is
8 amended by adding before the period at the end thereof, the
9 following: "except that no funds authorized to be appropriated
10 in this or any other Act may be obligated or made available
11 for the conduct of the current dialogue on the Middle East
12 peace process with any representative of the Palestine Libera-
13 tion Organization if the President knows and advises the
14 Congress that that representative directly participated in the
15 planning or execution of a particular terrorist activity which
16 resulted in the death or kidnapping of an American citizen".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

17 SEC. 1064. CONSERVATION OF SEA TURTLES.

18 *The Secretary of State, in consultation with the Secre-*
19 *tary of Commerce, shall, with respect to those species of sea*
20 *turtles the conservation of which is the subject of regulations*
21 *promulgated by the Secretary of Commerce on June 29,*
22 *1987—*

23 (1) *initiate negotiations as soon as possible for the*
24 *development of bilateral or multilateral agreements*
1 *with other nations for the protection and conservation*
2 *of such species of sea turtles;*

3 (2) *initiate negotiations as soon as possible with*
4 *all foreign governments which are engaged in, or which*
5 *have persons or companies engaged in, commercial*
6 *fishing operations which, as determined by the Secre-*
7 *tary of Commerce, may affect adversely such species of*
8 *sea turtles, for the purpose of entering into bilateral*
9 *and multilateral treaties with such countries to protect*
10 *such species of sea turtles;*

11 (3) *encourage such other agreements to promote*
12 *the purposes of this section with other nations for the*
13 *protection of specific ocean and land regions which are*
14 *of special significance to the health and stability of*
15 *such species of sea turtles;*

16 (4) *initiate the amendment of any existing inter-*
17 *national treaty for the protection and conservation of*
18 *such species of sea turtles to which the United States*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

389

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

19 is a party in order to make such treaty consistent with
20 the purposes and policies of this section; and
21 (5) provide to the Congress by not later than 1
22 year after the date of enactment of this section—
23 (A) a list of each nation which conducts com-
24 mercial shrimp fishing operations within the geo-
25 graphic range of distribution of such sea turtles;
1 (B) a list of each nation which conducts
2 commercial fishing operations which may affect
3 adversely such species of sea turtles; and
4 (C) a full report on—
5 (i) the results of his efforts under this
6 section; and
7 (ii) the status of measures taken by
8 each nation listed pursuant to paragraph (A)
9 or (B) to protect and conserve such sea tur-
10 tles.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATION POSITION/NOTES

11 SEC. 1045. POLICY REGARDING SOVIET BLOC MILITARY ASSIST-
12 ANCE FOR CENTRAL AMERICA.
13 (a) FINDINGS.—The Congress finds that—
14 (1) the Soviet Union and its allies have provided
15 a cumulative total of over \$3,045,000,000 in direct
16 military assistance to the Republic of Nicaragua since
17 1979;
18 (2) military assistance to the Republic of Nicara-
19 gua from the Soviet Union and its allies exceeds
20 \$690,000,000 since the signing of the Esquipulas II
21 Accords on August 7, 1987, which are designed to
22 foster regional peace and national reconciliation in
23 Nicaragua;
24 (3) the Republic of Nicaragua now has the largest
25 and most sophisticated armed force in Central Ameri-
1 can history, with an active duty military force more
2 than twice that of the next largest military force, which
3 is that of El Salvador;
4 (4) the Soviet Union and its allies have provided
5 to the Republic of Nicaragua equipment and material
6 to service an active duty military force in excess of
7 80,000 troops;
8 (5) the military equipment provided by the Soviet
9 Union and other East Bloc nations enables the Repub-
10 lic of Nicaragua to maintain an overwhelming military
11 advantage over its neighbors;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(26)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

	12	(6) the authority for the United States Govern-	
	13	ment to provide or deliver military assistance to the	
	14	Nicaraguan Resistance expired on February 29, 1988;	
	15	(7) the Soviet Bloc including Cuba and the Re-	
	16	public of Nicaragua, continue to provide military and	
	17	other assistance to the Farabundo Marti Liberation	
	18	Front of El Salvador;	
	19	(8) the most recent discovery of a cache of insur-	
	20	gent weapons in San Salvador is the largest ever cap-	
	21	tured by government forces;	
	22	(9) Nobel Peace Prize winner Costa Rican Presi-	
	23	dent Oscar Arias has, on numerous occasions, called	
	24	on the Soviet Union and its allies to end military as-	
	1	sistance to both the Republic of Nicaragua and the	
	2	Farabundo Marti Liberation Front of El Salvador;	
	3	(10) the military assistance provided to the Re-	
	4	public of Nicaragua and the FMLN is inconsistent	
	5	with the goals of the Esquipulas II accords and the	
	6	February 14, 1989 Joint Declaration by the Central	
	7	American presidents;	
	8	(11) the March 24, 1989 Bipartisan Agreement	
	9	between the President and the Congress stated that	
	10	continued Soviet and Cuban "aid and support of vio-	
	11	lence and subversion in Central America is in direct	
	12	violation" of the Esquipulas agreement; and	
	13	(12) continued aid by the Soviets and their allies	
	14	in support of violence and subversion in Central Amer-	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

162

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

15 *ica would have a deleterious effect on Soviet-American*
16 *relations.*

17 *(b) STATEMENTS OF POLICY.—In the interest of re-*
18 *gional peace and security, the Congress—*

19 *(1) calls on the Soviet Union and its allies to*
20 *withhold further military assistance to the Republic of*
21 *Nicaragua and the FMLN;*

22 *(2) calls on the Soviet Union and its allies to*
23 *withdraw from Nicaragua their military and security*
24 *advisors and support personnel; and*

1 *(3) calls on the Republic of Nicaragua to work*
2 *toward a stabilization of the regional military balance,*
3 *and to begin a diminution of the size of its military*
4 *forces, as envisioned in the Esquipulas II Accords.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

69

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

5 SEC. 1046. SOVIET AND VIETNAMESE NATIONALS REFUGEE
6 STATUS.
7 (a)(1) The Attorney General is directed to establish, in
8 consultation with the Secretary of State, standard profiles of
9 refugee applicants which would identify applicants with a
10 strong likelihood of qualifying for admission as refugees due
11 to well established histories of persecution, pursuant to sec-
12 tion 207 of the Immigration and Nationality Act.
13 (2) These categories shall include Soviet nationals who
14 are Jews or Evangelical Christians or Ukrainian Catholics
15 or Ukrainian Orthodox, and holders of Letters of Introduc-
16 tion in the Orderly Departure Program in Vietnam, who do
17 not immediately qualify for immigrant visas, and may in-
18 clude other groups of refugee applicants for which such stand-
19 ard profiles would be appropriate.
20 (b) If a refugee applicant is within any of the standard
21 profiles, he or she may qualify for refugee status by demon-
22 strating one of the following:
23 (1) acts of mistreatment, or prejudicial actions
24 against him or her personally such as, but not limited
25 to—
1 (A) inability to study or practice religious
2 beliefs or ethnic heritage; or
3 (B) denial of access to educational, vocation-
4 al or technical institutions for which he or she is
5 otherwise qualified, based on membership in one
6 of the above standard profiles; or

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

7 (C) adverse treatment in the workplace stem-
8 ming from prejudicial attitudes toward members
9 of his or her standard profile; or
10 (2) acts of persecution committed against other
11 persons in his or her standard profile, in his or her
12 geographical locale, or acts, regardless of locale, which
13 give rise to a well-founded fear of persecution; or
14 (3) instances of mistreatment or prejudicial ac-
15 tions based on his or her personal request to depart the
16 Soviet Union or Vietnam, including, but not limited
17 to, loss of home, job, or educational opportunity.
18 (c) Decisions made to deny applications for refugee
19 status shall be made in writing and shall state, to the maxi-
20 mum extent feasible, the reasons why the application was
21 denied.
22 (d) Aliens who fall within categories established by this
23 Act, or by the Attorney General pursuant to this Act, and
24 who have been denied refugee status between August 15,
1 1988 and the date of enactment of this Act, shall be eligible to
2 reapply for refugee status under the terms of this Act.
3 (e) This section shall take effect on the date of the enact-
4 ment of this Act and shall terminate on September 30, 1990.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(365)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

5 SEC. 1047. SOVIET AND VIETNAMESE NATIONALS ADJUSTMENT
6 TO LAWFUL PERMANENT RESIDENT STATUS.
7 (a) The Attorney General shall, subject to the require-
8 ments in subsection (b) and (c) of this section, adjust to
9 lawful permanent resident status those nationals of the Soviet
10 Union or Vietnam who entered the United States on or after
11 September 1, 1988 and before September 1, 1990, through
12 the exercise of his public interest parole power after being
13 denied refugee status.
14 (b) Soviet or Vietnamese nationals described in this sec-
15 tion shall not be eligible for adjustment under subsection (a)
16 unless—
17 (1) they have been physically present in the
18 United States for at least 1 year;
19 (2) they apply for adjustment within 1 year after
20 the date upon which they become eligible for such ad-
21 justment; and
22 (3) they pay a fee to provide for the processing of
23 their application, as determined by regulation by the
24 Attorney General.
1 (c) Persons described in subsection (a) shall not be sub-
2 ject to the numerical limitations in section 201(a) or section
3 202(a) of the Immigration and Nationality Act, but shall be
4 subject to the exclusions in section 212(a) of such Act (except
5 for paragraphs (14) and (28)).

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

266

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 SEC. 1018. CUBAN ALIEN SMUGGLING OPERATION.
7 (a) The Attorney General shall initiate an investigation
8 into allegations of an alien smuggling ring operated by the
9 Government of Cuba by which Cuban Nationals are smug-
10 gled into the United States via Panama and Mexico. The
11 investigation shall include allegations that the Cuban Inter-
12 ests Section in Washington, D.C. is coordinating this oper-
13 ation and that the fees for delivery of such persons to the
14 United States are diverted to the Government of Cuba.
15 (b) The Attorney General shall report to Congress his
16 findings within 60 days of enactment.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(36)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

17 SEC. 1049. CUBAN DRUG TRAFFICKING.

18 (a) Within 60 days of the enactment of this Act, the
19 Director of National Drug Abuse Policy shall report to Con-
20 gress past involvement by the Government of Cuba in narcot-
21 ics trafficking. The Comptroller shall call on the Drug En-
22 forcement Agency, the Federal Bureau of Investigation and
23 any other appropriate agencies.

24 (b) No later than 180 days after the enactment of this
25 Act, the Comptroller General shall report to Congress a com-
1 plete report on the current involvement of the Government of
2 Cuba in drug trafficking.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

368

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1050. POLICY REGARDING HUMAN RIGHTS ABUSES IN
4 CUBA.
5 (a) FINDINGS.—The Congress finds that—
6 (1) the United Nations in 1989 issued its first
7 report on human rights in Cuba this year, the result of
8 a year-long investigation that concluded on the 30th
9 year of Fidel Castro's rise to power;
10 (2) the report extensively documented across-the-
11 board human rights abuses that include cases of tor-
12 ture, missing people, religious persecution, violations of
13 civil and political rights, and violations of economic
14 and social rights;
15 (3) the United Nations received 137 complaints of
16 "torture, cruel, inhuman or degrading treatment or
17 punishment";
18 (4) among the abuses reported to the United Na-
19 tions were sensory deprivation, immersion in a pit la-
20 trine, mock executions, overcrowding in special cells,
21 deafening loudspeakers, keeping prisoners naked in
22 front of relatives, and forcing a prisoner about to be ex-
23 ecuted to carry his own coffin or dig his own grave;
24 (5) the United Nations commissioners also
25 charged the Cuban regime with carrying out reprisals
1 against Cuban citizens who offered testimony to the
2 United Nations group, a clear violation of the Castro's
3 government's promise not to harass those who com-
4 plained about human rights.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

369

HOUSE	SENATE	ADMINISTRATION POSITION/NOTES
	<p>5 (6) at least 22 Cuban human rights activists who</p> <p>6 were arrested are currently serving prison sentences or</p> <p>7 being held without trial; and</p> <p>8 (7) the Human Rights Commission approved a</p> <p>9 resolution on March 9, 1989, calling on the Cuban</p> <p>10 government to cooperate with the Secretary General of</p> <p>11 the United Nations in settling unresolved issues raised</p> <p>12 by the human rights study group.</p> <p>13 (b) STATEMENT OF POLICY.—In the interest of pro-</p> <p>14 moting respect for human rights in Cuba, the Congress—</p> <p>15 (1) calls on the Secretary General of the United</p> <p>16 Nations to act upon the resolution approved by the</p> <p>17 Commission on Human Rights March 9, 1989, calling</p> <p>18 on the Secretary General to take appropriate action to</p> <p>19 follow up on the Commission's report; and</p> <p>20 (2) calls on the Secretary General to specifically</p> <p>21 urge the Government of Cuba to release the 22 persons</p> <p>22 still being held in detention because of their human</p> <p>23 rights activities.</p>	

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(32)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

24 SEC. 1051. COMMEMORATION OF VICTIMS OF TERRORISM.

25 (a) FINDINGS.—The Congress finds that:

1 (1) terrorism continues to shock the conscience of
2 the civilized world. On numerous occasions, interna-
3 tional outlaws have sought to influence the foreign
4 policy of nations by outrageous acts of violence against
5 innocent citizens;

6 (2) since 1973, well over five hundred Americans
7 have perished in the course of approximately 140 lethal
8 terrorist attacks. It is impractical to list each victim by
9 name, but the three cases described below illustrate that
10 terrorism wreaks not only political havoc, but personal
11 tragedy as well;

12 (3) in June 1985, terrorists hijacked TWA flight
13 847 en route from Athens to Rome. After the aircraft
14 was diverted to Beirut, the terrorists shot Navy diver
15 Robert Stetham and dumped his body onto the tarmac
16 of the Beirut Airport;

17 (4) in October 1985, four Palestinian gunmen hi-
18 jacked the Italian cruise ship Achille Lauro in the
19 Mediterranean Sea. During this incident, the terrorists
20 murdered Leon Klinghoffer, an elderly American con-
21 fined to a wheelchair;

22 (5) on December 21, 1988, Pan Am flight 103 en
23 route from London to New York blew up over Locher-
24 bie, Scotland, killing 270 people, including 189 Amer-
25 icans. The evidence strongly suggests that flight 103

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 was destroyed in a terrorist attack, but the families
2 and friends of the Pan Am 103 victims have been
3 traumatized by the inability of law enforcement offi-
4 cials to identify the perpetrator(s) of this barbaric act;
5 (6) at present, nine Americans are being held hos-
6 tage in the Middle East. These individuals are victims
7 of terrorism as well. The Congress deplores their con-
8 tinued detention and expresses its fervent desire that
9 they be released unharmed forthwith;
10 (7) the people of the United States feel over-
11 whelming grief and sorrow for the innocent victims of
12 terrorism, yet lack a satisfactory means of conveying
13 their condolences to the families and friends of the vic-
14 tims. The designation of a day of commemoration for
15 the victims of terrorism would be an appropriate means
16 of expressing the sorrow of the Nation; and
17 (8) December 21, 1989, is a suitable day of com-
18 memoration because it is the 1-year anniversary of the
19 apparent bombing of Pan Am flight 103.
20 (b) *COMMEMORATION.*—The President is authorized
21 and requested to issue a proclamation designating December
22 21, 1989, as "Terrorist Victims Commemoration Day" and
23 to urge the Governors of the several States, the chief officials
24 of local governments, and the people of the United States to
1 mark this day with appropriately solemn ceremonies and
2 activities.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

872

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1052. ESTABLISHMENT OF AN INTERNATIONAL STRIKE
4 FORCE.
5 It is the sense of the Congress that the President and the
6 Secretary of State should call for international negotiations
7 for the purpose of agreeing on the establishment of an inter-
8 national strike force to pursue and apprehend major interna-
9 tional drug traffickers and terrorists.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

273

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

10 SEC. 1053. CREATION OF A MULTILATERAL ANTI-NARCOTICS

11 STRIKE FORCE.

12 (a) FINDINGS.—The Congress finds that—

13 (1) the United States Congress has in the past
14 sought approval for a multilateral strike force dedicated
15 to the war on drugs;

16 (2) the proposal to create a multilateral, interna-
17 tional anti-narcotics force as proposed by Prime Minis-
18 ter Michael Manley of Jamaica, is a plan worthy of
19 praise and strong United States support;

20 (3) the Manley plan is the first operative proposal
21 to use multilateral force against the drug cartels in
22 Latin America made by a government leader in the
23 Western Hemisphere; and

24 (4) moreover, the proposal has been matched by
25 Jamaica's parallel commitment to the drug war and by
1 taking the lead in developing an independent, interna-
2 tional strategy for the Western Hemisphere nations.

3 (b) SENSE OF THE CONGRESS.—It is therefore the
4 sense of the Congress that—

5 (1) Prime Minister Manley of Jamaica is to be
6 commended for his proposal and for his commitment to
7 the war on drugs; and

8 (2) the United States should work if possible
9 through multilateral organizations to determine the fea-
10 sibility of such force and assist in the establishment of

11 this force, if it is found to be feasible and consistent

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

574

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

12 with the United States Constitution.
13 (c) AUTHORIZATION OF FUNDING.—Funds authorized
14 to be appropriated under this Act for any United Nations
15 program, may be reallocated for a program to establish an
16 international strike force for international narcotics control
17 under multilateral auspices. Such reallocation may occur
18 only if the Committee on Foreign Affairs and the Committee
19 on Appropriations of the House of Representatives, and the
20 Committee on Foreign Relations and the Committee on Ap-
21 propriations of the Senate, are notified at least 15 days in
22 advance of the obligation of funds in accordance with the
23 procedures applicable to reprogramming notifications under
24 section 634A of the Foreign Assistance Act of 1961.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

575

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

- 1 SEC. 1054. SCHOOLS ON WEST BANK.
- 2 *The United States Congress commends Israel's decision*
- 3 *to open the schools on the West Bank beginning on July 22,*
- 4 *1989. The Congress expresses the hope that all schools will*
- 5 *be opened at an early date and will remain open, will not be*
- 6 *closed or caused to be closed for political purposes, and will*
- 7 *be respected and regarded as centers of education.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

379

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 SEC. 1053. ROLE OF THE CONGRESS IN THE FORMULATION OF
9 UNITED STATES FOREIGN POLICY.
10 The Senate Committee on Foreign Relations, upon con-
11 sultation with the Secretary of State, shall issue a report to
12 the Senate by December 31, 1989, on the appropriate rela-
13 tionship between the Legislative and the Executive Branches
14 with respect to the formulation of United States foreign
15 policy.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

(27)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 SEC. 1056. ASSISTANCE FOR THE CAMBODIAN PEOPLE.
17 (a) POLICY.—It shall be the policy of the United States
18 to—
19 (1) support the Cambodian non-communist resis-
20 tence in its efforts to establish an independent, demo-
21 cratic government in Cambodia responsive to the freely
22 expressed will of the Cambodian people; and
23 (2) support the establishment of a coalition gov-
24 ernment in which the non-communists have a leading
25 role that will not support, accept, recognize, or tolerate
26 any political arrangement in Cambodia that would
1 enable the Khmer Rouge to reestablish their control
2 over Cambodia.
3 (b) ASSISTANCE FOR THE NON-COMMUNIST RESIST-
4 ANCE.—Notwithstanding any other provision of law, the
5 President may make available to the non-communist resist-
6 ance forces and non-communist civilians in Cambodia funds
7 made available for foreign military financing and economic
8 support assistance for fiscal year 1990 under the Foreign
9 Assistance Act of 1961.
10 (c) PROHIBITION ON ASSISTANCE TO THE KHMER
11 ROUGE.—Notwithstanding any other provision of law, none
12 of the funds made available to carry out this section may be
13 obligated or expended for the purpose or with the effect of
14 promoting, sustaining, or augmenting, directly or indirectly,
15 the capacity of the Khmer Rouge or any of its members to

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 conduct military or paramilitary operations in Cambodia or
17 elsewhere in Indochina.

18 (d) CLARIFICATION OF AUTHORITIES GRANTED.—

19 (1) EARMARKINGS OF FUNDS NOT AFFECTED.—

20 Nothing in this section supersedes any provision of this
21 Act or the annual Foreign Operations, Export Financ-
22 ing, and Related Programs Appropriations Act that
23 earmarks funds for a specific country, region, organi-
24 zation, or purpose.

1 (2) APPROPRIATIONS ACT LIMITATIONS NOT AF-

2 FECTED.—Nothing in this section supersedes any pro-
3 vision of the annual Foreign Operations, Export Fi-
4 nancing, and Related Programs Appropriations Act
5 that specifically refers to the assistance authorized by
6 this section and establishes limitations with respect to
7 such assistance.

8 (3) PROGRAMMING REQUIREMENTS NOT AF-

9 FECTED.—Nothing in this section supersedes the re-
10 quirements of section 634A of the Foreign Assistance
11 Act of 1961 or any provision of the annual Foreign
12 Operations, Export Financing, and Related Programs
13 Appropriations Act that requires prior notification to
14 congressional committees of proposed reprogramming of
15 funds.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

529

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

16 SEC. 1057. TREATMENT OF HONG KONG AS A SEPARATE FOR-
17 EIGN STATE FOR NUMERICAL LIMITATIONS.
18 The approval referred to in the first sentence of section
19 202(b) of the Immigration and Nationality Act shall be con-
20 sidered to have been granted, effective beginning with fiscal
21 year 1990, with respect to Hong Kong as a separate foreign
22 state, and not as a colony or other component or dependent
23 area of another state, and section 202(c) of such Act shall not
24 apply to Hong Kong, except that for fiscal year 1990 the total
25 number of immigrant visas made available to natives of
1 Hong Kong in any fiscal year under section 202(a) may not
2 exceed 10,000.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1058. MULTILATERAL SANCTIONS AGAINST SOUTH AFRICA.

4 (a) CONGRESSIONAL FINDINGS.—The Congress finds
5 that—

6 (1) the Comprehensive Anti-Apartheid Act of
7 1986 states that "international cooperation is a prereq-
8 uisite to an effective anti-apartheid policy";

9 (2) the Comprehensive Anti-Apartheid Act of
10 1986 states that it is the policy of the United States
11 "to seek international agreements with the other indus-
12 trialized democracies to bring about the complete dis-
13 mantling of apartheid";

14 (3) the Comprehensive Anti-Apartheid Act of
15 1986 states that "Sanctions imposed under such agree-
16 ments should be both direct and official executive or
17 legislative acts of governments";

18 (4) the Comprehensive Anti-Apartheid Act of
19 1986 expresses the sense of Congress that the Presi-
20 dent "should instruct" the Permanent Representative
21 of the United States to the United Nations to propose
22 that the United Nations Security Council impose
23 measures against South Africa "of the same type as
24 are imposed by this Act";

1 (5) the Permanent Representative of the United
2 States to the United Nations contravened the inten-
3 tions of the Congress, as expressed in the Comprehen-
4 sive Anti-Apartheid Act of 1986, by vetoing two pro-

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

6 1987, and March 7, 1988, that would have imposed se-
7 lective but mandatory international economic sanctions
8 against South Africa, similar to those imposed by the
9 United States through the enactment of the Compre-
10 hensive Anti-Apartheid Act of 1986;
11 (6) the Secretary of State's Advisory Committee
12 on South Africa, established pursuant to Executive
13 Order 12532 of September 9, 1985, concluded in its
14 January 1987 report that the "most effective external
15 pressure" on the Government of South Africa will
16 come from a "concerted international effort";
17 (7) the Advisory Committee recommended that the
18 President begin "urgent consultations" with United
19 States allies to "enlist their support for a multilateral
20 program of sanctions" drawn from those measures in
21 the Comprehensive Anti-Apartheid Act of 1986;
22 (8) the European Community, the British Com-
23 monwealth, and Japan have adopted selected economic
24 sanctions against the Government of South Africa
25 which parallel some of the measures taken by the
1 United States, such as a ban on new investment and
2 on the importation of gold coins, iron, and steel;
3 (9) Japan, Italy, France, the United States, the
4 United Kingdom, and the Federal Republic of Ger-
5 many are South Africa's major trading partners, ac-
6 counting for 81 percent of South Africa's imports and

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

382

HOUSE

SENATE

ADMINISTRATIVE POSITION/NOTES

8 (10) Japan and the Federal Republic of Germany
9 became South Africa's top trading partners in 1987;
10 (11) the United States General Accounting Office
11 concluded in its September 1988 summary report on
12 South Africa that sanctions imposed by the United
13 States on South Africa under the Comprehensive Anti-
14 Apartheid Act of 1986 reduced South African exports
15 by \$417 million and caused a total trade reduction of
16 \$469 million because of South Africa's inability to re-
17 direct trade to other markets;
18 (12) the United States, the United Kingdom, the
19 Federal Republic of Germany, and Switzerland ac-
20 count for almost half of South Africa's international
21 debt of \$23 billion; and
22 (13) the President is authorized in the Compre-
23 hensive Anti-Apartheid Act of 1986 to limit the impor-
24 tation into the United States of products or services of
25 a foreign country "to the extent to which such foreign
1 country benefits from, or otherwise takes commercial
2 advantage of, any sanction or prohibition" imposed
3 under the Comprehensive Anti-Apartheid Act of 1986.
4 (b) SENSE OF THE CONGRESS.—It is the sense of the
5 Congress that the President should—
6 (1) take immediate steps to achieve a consensus
7 among South Africa's major trading partners on effec-
8 tive economic, political, and diplomatic measures to

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATIVE POSITION/NOTES

10 (2) implement to the fullest extent all the provi-
11 sions of the Comprehensive Anti-Apartheid Act of
12 1986;
13 (3) take active steps to bring about concerted mul-
14 tilateral pressure by Japan, Canada, the member states
15 of the European Community, and other United States
16 allies on the Government of South Africa to dismantle
17 its immoral and inhumane system of apartheid through
18 a process of negotiation with legitimate representatives
19 of all the people of South Africa;
20 (4) instruct the Permanent Representative of the
21 United States to the United Nations to propose that
22 the United Nations Security Council impose measures
23 against South Africa of the same type as are imposed
24 under the Comprehensive Anti-Apartheid Act of 1986;
1 (5) instruct the Permanent Representative of the
2 United States to the United Nations to vote for any
3 resolution offered in the Security Council that would
4 impose measures against South Africa of the same type
5 as are imposed under the Comprehensive Anti-Apart-
6 heid Act of 1986;
7 (6) strengthen the impact of the Comprehensive
8 Anti-Apartheid Act of 1986 through the use of diplo-
9 matic and political pressure in private as well as
10 public fora;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

11 (7) direct the Department of State, the Depart-
12 ment of Commerce and other appropriate executive
13 agencies to continue to monitor carefully trade relation-
14 ships between South Africa and United States allies;
15 and
16 (8) take effective action against those foreign
17 countries benefiting from or taking advantage of
18 United States sanctions against South Africa.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)
SENATE

HOUSE

ADMINISTRATIVE POSITION/NOTES

19 SEC. 1058. SENSE OF THE CONGRESS REGARDING THE SITUATION IN THE REPUBLIC OF SOUTH AFRICA.
20
21 (a) CONGRESSIONAL FINDINGS.—The Congress finds
22 that—
23 (1) the Government of the Republic of South
24 Africa has participated in good faith negotiations regarding the future of Namibia and Angola, culminating in the Tripartite Agreement signed in New York
1 on December 22, 1988;
2
3 (2) the Government of the Republic of South
4 Africa has initiated a number of diplomatic and other
5 contacts with other African states, including visits by
6 the State President, Mr. P.W. Botha, of South Africa
7 to Zaire and Mozambique;
8 (3) the Government of the Republic of South
9 Africa has undertaken, in cooperation with other African
10 states, a number of vital development and commercial
11 projects to improve the lives of the citizens of those
12 countries;
13 (4) the national elections to be held in South
14 Africa on September 6, 1989, will result in the selection of a new Head of State;
15
16 (5) because of the apartheid system, the majority
17 of South Africa's population do not have the right to
18 participate in the upcoming elections; and
19 (6) the Government of the Republic of South

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

386

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

21	(A) repeal the State of Emergency;
22	(B) release all detainees and persons imprisoned for their political beliefs;
23	(C) unban all groups, parties, individuals, and organizations opposed to apartheid;
24	(D) repeal the Group Areas Act, Population Registration Act, and other measures with the same purposes; and
25	(E) agree to enter into good faith negotiations without preconditions with a broad range of individuals genuinely representing the majority of the South African people.
1	(b) SENSE OF THE CONGRESS.—It is the sense of Congress that—
2	(1) the Tripartite Agreement has raised expectations for peace and stability in southern Africa; and
3	(2) the period following the September elections in South Africa provides an opportunity to enter into serious good faith negotiations to end apartheid with a broad range of individuals genuinely representing the majority of the South African people.
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SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 1061. RECOGNITION OF PANAMANIAN PRESIDENT.
2 (a) FINDINGS.—The Senate finds that—
3 (1) the Panamanian election of May 7, 1989 pro-
4 duced a clear victor for the offices of the President and
5 Vice President with 75 percent of the vote cast for the
6 opposition candidates;
7 (2) Guillermo Endara was the Panamanian peo-
8 ple's choice for President, and Ricardo Arias Calderon
9 and Guillermo Ford were their choice for First and
10 Second Vice President;
11 (3) the Noriega regime engaged in a wholesale
12 effort to steal the election, including voting irregular-
13 ities, intimidation of opposition candidates, and repres-
14 sive measures against the press and public assemblies,
15 as verified by a team of international election observers
16 headed by former Presidents Ford and Carter;
17 (4) the current dictator of Panama, Manuel Anto-
18 nio Noriega, having failed to manipulate the vote tally
19 in favor of his candidate, Carlos Duque, illegally nul-
20 lified the election on May 10, 1989;
21 (5) Noriega, known to have ties to both interna-
22 tional terrorists and international drug traffickers, is
23 continuing to intimidate the people of Panama and
24 consolidate his power domestically;
25 (6) it is imperative that Noriega be ousted and
26 that Guillermo Endara be installed as the duly-elected

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 *President of Panama to guarantee the rights and free-*
2 *doms of the Panamanian people and to guarantee the*
3 *safety and security of the Panama Canal; and*
4 *(7) the Panamanian Defense Force, under Nor-*
5 *iega, continues to harass United States military and*
6 *civilian personnel living in Panama.*
7 *(b) POLICY.—It is the sense of the Senate that—*
8 *(1) the United States Government should recog-*
9 *nize Guillermo Endara as the legitimate President of*
10 *Panama on September 1, 1989;*
11 *(2) the United States Government should, both*
12 *through the OAS and unilaterally, work for the imme-*
13 *diate expulsion of Manuel Antonio Noriega from*
14 *Panama;*
15 *(3) the United States should work with other*
16 *allies in the hemisphere to ensure that Guillermo*
17 *Endara takes power in Panama on September 1,*
18 *1989, in accordance with the constitution of that coun-*
19 *try and the desire of the Panamanian people.*

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

389

HOUSE

SENATE

ADMINISTRATIVE POSITION/NOTES

20 SEC. 1061. TREATIES WITH SOVIET UNION ON BOUNDARIES OF
21 THE UNITED STATES.
22 It is the sense of the Senate that the Department of
23 State shall submit to the Senate in treaty form for advice
24 and consent all agreements with the Soviet Union which
25 relate to boundaries of the United States.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

1 SEC. 1063. UNITED NATIONS SPONSORSHIP OF A MIDDLE EAST
2 PEACE CONFERENCE.

3 (a) FINDINGS.—The Congress finds that—

4 (1) the General Assembly of the United Nations
5 adopted Resolution No. 3379 on November 10, 1975,
6 maintaining that Zionism constituted a form of
7 racism;

8 (2) most of the proposals for an international
9 peace conference regarding the Middle East have iden-
10 tified the United Nations as the sponsoring organiza-
11 tion for such a conference;

12 (3) all international diplomatic participants in
13 any potential Middle East peace conference must ac-
14 knowledge the sovereignty of the State of Israel and the
15 right of its citizens to live within secure and permanent
16 boundaries; and

17 (4) United Nations General Assembly Resolution
18 No. 3379 of November 10, 1975, damages the credibil-
19 ity of the United Nations as a forum for the convening
20 of an international Middle East peace conference be-
21 cause it condemns the theory that informs the political,
22 religious, and social foundations of the State of Israel.

23 (b) POLICY.—(1) The Congress declares that United
24 Nations General Assembly Resolution No. 3379 of Novem-
25 ber 10, 1975, makes the United Nations or any of its constit-
1 uent bodies an inappropriate forum for the sponsorship of

2 any international conference on the Arab-Israeli conflict

091
SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

3 SEC. 1064. FACILITATING THE DETECTION OF PLASTIC EXPLO-
4 SIVES USED BY INTERNATIONAL TERRORISTS.
5 (a) FINDINGS.—The Senate finds that plastic explo-
6 sives have become a weapon of choice for international terror-
7 ists and have been used to inflict great loss of innocent life,
8 including the destruction of Pan Am flight number 103.
9 (b) SENSE OF THE SENATE.—It is the sense of the
10 Senate that—
11 (1) the President should seek to negotiate an
12 international protocol requiring all nations that
13 produce, or enter into the production of, plastic explo-
14 sives to implant taggants in those explosives designed
15 to facilitate their detection for anti-terrorist purposes;
16 and
17 (2) the President should seek to reach a final
18 agreement on an international protocol at the earliest
19 possible date.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 SEC. 1065. PROMOTING FREEDOM IN SOVIET GEORGIA.

21 (a)(1) The roots of Georgian national identity reach
22 back to before the birth of Christ.

23 (2) Georgia was an independent region up until tsarist
24 Russia incorporated it into the Russian empire in the 19th
25 century.

1 (3) Georgian independence was reestablished on May
2 26, 1918, with the proclamation of the Republic of Georgia,
3 with a parliamentary democratic government.

4 (4) The independence of the Republic of Georgia was
5 recognized by 22 countries, among them the Soviet Union on
6 May 7, 1920.

7 (5) The Soviet Union invaded the Republic of Georgia
8 10 months later, on February 16, 1921, occupied the capital
9 city of Tbilisi, and established Soviet power in Georgia on
10 March 18, 1921.

11 (6) The Patriarch of the Georgian Orthodox Church,
12 Katholikos Ambroyi appealed at the Genoa Conference in
13 1922 for support from the international community to force
14 the occupying Soviet forces out of the Republic of Georgia,
15 but no help was forthcoming.

16 (7) In 1924, there was an uprising which started in the
17 manganese mines of Tschiaturre and swept over the whole
18 country, and although assistance came from France and
19 Poland, Soviet troops brutally crushed the rebellion, and the

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 three leaders of this uprising were Colonel Khaikhroso Cho-
21 lokhashvili, Colonel Price Elizbar Watschnadse, and Alex-
22 ander Sulkhonashvili.

23 (8) The people of Georgia have renewed their call for
24 self-determination, as evidenced by the creation of the Na-
25 tional Democratic Party of Georgia.

1 (9) The expression of these aspirations, over the past
2 two years, by the people of Georgia has caused the expulsion
3 of popular leaders such as Tengiz Gudava from the Soviet
4 Union.

5 (10) Georgian human rights leaders both in Georgia
6 itself and in the West have renewed their call for help from
7 the United States by asking that the United States call upon
8 the Soviet Government to grant to the people of Georgia the
9 right to free multiparty pluralistic institutions and self-deter-
10 mination.

11 (b) It is the sense of the Senate that the Senate
12 hereby—

13 (1) supports the aspirations of the Georgian
14 nation for freedom and for justice;

15 (2) supports the aspirations of the Georgian
16 nation for democracy in compliance with the provisions
17 of the Final Act of the Helsinki Conference on Securi-
18 ty and Cooperation in Europe, to which the Soviet
19 Union is a party;

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

20 (3) supports the aspirations of the Georgian
21 nation for cultural and human rights, as embodied in
22 the Universal Declaration of Human Rights, which the
23 Soviet Union supported.
1 (c) For the purposes of this section the word "nation"
2 refers to the Georgian people in an ethnic and cultural sense
3 and not in the sense of a "nation-state".

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

575

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

4 SEC. 1066. AUTHORIZATION OF APPROPRIATIONS.
5 There is authorized to be appropriated for the Commis-
6 sion on the Ukraine Famine \$100,000, which is authorized
7 to remain available until expended.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160

FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

8 SEC. 1067. PROHIBITION ON CERTAIN TRANSACTIONS BETWEEN
9 CERTAIN UNITED STATES FIRMS AND CUBA.
10 Notwithstanding any other provisions of law, no license
11 may be issued for any transaction described in section
12 515.559 of title 31, Code of Federal Regulations, as in effect
13 on July 1, 1989.

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

372

HOUSE

SENATE

ADMINISTRATION POSITION/NOTES

14 SEC. 1068. SENSE OF THE SENATE THAT THE OFFICE OF THE
15 UNITED STATES TRADE REPRESENTATIVE
16 SHALL HAVE A REPRESENTATIVE IN THE AMER-
17 ICAN EMBASSY IN TOKYO.
18 (a)(1) The United States global merchandise trade defi-
19 cit for May was \$10.2 billion, \$2 billion more than in April,
20 and, annualizing the deficit figure for the January-May
21 period indicates a 1989 deficit of \$111 billion.
22 (2) The United States merchandise trade deficit with
23 Japan for May was \$4.3 billion, \$400 million more than in
24 April, and, annualizing the deficit figure for the January-
25 May period indicates a 1989 deficit of \$49 billion.
1 (3) Japan accounts for over 40 percent of the United
2 States global merchandise trade deficit so far this year.
3 (4) Japan has been designated as a priority country
4 under the so-called "Super 301" provisions of the Omnibus
5 Trade and Competitiveness Act of 1988, and three priority
6 practices in Japan have been designated under that Act.
7 (5) An initiative has been instituted with Japan to ex-
8 amine a broad array of structural impediments to trade, and
9 the United States side will be co-chaired by the Department
10 of State, the Department of the Treasury, and the United
11 States Trade Representative.
12 (6) There are representatives assigned to the American
13 Embassy in Japan from the Departments of State, the
14 Treasury, Commerce, and Agriculture, but not from the

SIDE-BY-SIDE COMPARISON OF H.R. 1487 AND S. 1160
FOREIGN RELATIONS AUTHORIZATION ACT, FY 1990 (1991)

280

HOUSE

SENATE

ADMINISTRATIVE POSITION/NOTES

16 (7) The United States Trade Representative is integral
17 to trade policy formulation, trade policy implementation, and
18 trade negotiations with Japan, but does not have a representa-
19 tive assigned to the American Embassy in Japan.

1 (b) It is the sense of the Senate that the Office of the
2 United States Trade Representative shall have a representa-
3 tive in the American Embassy in Tokyo.

Attest:

Secretary.